

Michael Oakeshott on Representative Democracy

Politics, Popular Government and Regimes of Liberty

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Preface

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It is a conspicuous trait of the intellectual life and times of the contemporary western world that in it, there has come to pass a pervasive absent-mindedness about the past as an imaginative and ready-to-hand tool of human understanding. This has been a pronounced feature of triumphant modernity as has our broad preoccupation with the ubiquity of time present, which is nowadays perceived as a condition all-encompassing, but unremittingly disposing us to the forward-looking promise of near futurity. Our notion of the world of human experience has to a noticeable extent become figuratively disembodied from its fuller range of modal possibilities. A once more shared awareness of a broader prospect on the human estate, past and present, has tended to become compressed. And one consequence of this contemporary disregard of the rich resources of the historical imagination is that it has regrettably encouraged the pervasiveness in moral, social and political matters of a simple-minded belief, and one much evidenced in the routine convictions of many in the modern world, in the limitless human capacity to invent, manipulate and transfer doctrines and institutions *holus bolus* according to premeditated principles and consciously designed blueprints expressly intended for the production of greater human betterment.

Now, this artless dogma of advancing modernity is not to be understood as one entertained alone by the proverbial man in the Clapham omnibus. Its influence has been everywhere and its adherents have included not only the humble but the great and the good, including those in the enjoyment of social, political and intellectual authority across a wide spectrum of the human adventure---not least, those “experts” whose ostensible business in our time is the “transmission” of knowledge. I have especially in mind knowledge of the human sciences in the contemporary university. More generally, schemes of differing degrees of ingenuity and in bewildering variety, though aimed alike at an elusive and, as it happens, exasperatingly receding goal of general “human betterment”, have perennially come and gone in the public affairs and policy debates of the century

past and more. But what is so striking about all of them, from the standpoint of the historical imagination, is their reliance on the notion of a confused but potent *praxis* in which the ends of their varying though typically well-meaning goals have tended to become mixed up with the alleged means to their achievement. Thus, by an apparently incremental narrowing of the commonly received bounds of experience, which has gone hand in hand with an inflated respect for technical knowledge at the expense of a more subtle appreciation of the quite separate contribution of reasoned judgement to effectual human conduct, there has resulted a general tendency to meld into one the distinct theoretical and practical activities of knowing and doing. In the upshot, almost universally in the ongoing political life of the developed western world, the view has taken firm hold that getting it right consists in the practical application to the pursuit of sundry agendas for human betterment of an assortment of abstract principles and detailed blueprints. What is more, virtually the entire range of these pet projects has become heavily reliant on the purported authority of the theory and practice of what is implicitly or expressly believed to be the crowning moral, social and political virtue of our time, “democracy”. To paraphrase Max Weber, we have brought to pass a state of affairs in which democracy has been transmogrified into the “ultimate means” to human betterment *as well as* the “ultimate end” of contemporary civil society itself. Those with an exaggerated regard for the redemptive possibilities of the active political life have tended to embrace these developments as a good thing. But it must also be said that along the way, the catch-all praise of democracy has led to the sheltering under the relative immunity of its capacious canopy of not a few without the slightest qualms about deploying its prestige, in place of Dr. Johnson’s preferred choice of patriotism, as the last refuge of a scoundrel.

Michael Oakeshott was well acquainted with these and other vagaries of the age in which he lived. The drift of what I have said above might indeed pass muster as an crude impersonation of his own more acute indictment of modern “rationalism” in one of its more common manifestations. And it is in fact with that critique in mind that this study undertakes a more detailed account of Oakeshott’s scrutiny of the democratic faith and its

practice. It is a topic seldom in direct focus in his writings but it is remarkably persistent as a background presence.

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Close by the Student Union Building at the University of British Columbia, there stands a large plinth atop which is positioned an outsized off-white eight foot statue of a robed female figure with distinctly Chinese facial features, her co-joined arms holding aloft in an inspirational pose a lighted torch in the manner of New York City's famed Statue of Liberty. On the plinth are inscribed the words:

GODDESS OF DEMOCRACY

During 1989, millions of students and civilians in major cities of China demonstrated peacefully for freedom and democracy. On June 4 1989, the movement was crushed by the government. Many died. This event had enormous impact on subsequent democracy movements around the world.

*Erected in memory of those who died by
Alma Mater Society UBC
Chinese Student and Scholar Association, UBC
Vancouver Society in Support of Democratic Movement
June 4 1991*

Michael Oakeshott was still alive when the dramatic events to which these words allude erupted in Tiananmen Square and elsewhere, only months before the collapse of East Germany's Communist government and the fall of the Berlin Wall; but his life drew to its close late the following year, six months or so before the official unveiling of this commemorative statue. Twelve years on from then, returned somehow from the beyond to join our current proceedings, he would in imagined likelihood, on being informed over a glass of wine of the existence of this far-off memorial to the so-called Goddess of Democracy, have responded with feigned bemusement, and words to the effect that the memorial, and the unqualified association of freedom with "democracy" featured so prominently in its dedicatory inscription, were just the sort of thing one might expect to find on the campus of what nowadays passes for a university. But he would presumably not have left it at that. Always one to delve as deeply as possible into the vagaries of the human world around him, he might have asked, after a reflective pause to conjure up words appropriate to convey the direction of his thought (and with a mischievous twinkle in his eye) ---in precisely which ways might the events alluded to on the plinth be truly

said to have had “enormous impact on subsequent democracy movements around the world?” It is the mark of a first-rate philosophical mind to know how to ask such telling questions. And at this juncture, without the need to signal an explicit retreat of the sort associated with the conversational gambit of changing the subject, the most prudent response imaginable might be to note instead that no one seemed to pay much attention to the statue anymore.

In the social and political life of the eventful twentieth century recently concluded, almost the entirety of its chronological passage coincided with the years of Michael Oakeshott’s long life. During that time so much was said and done in the name of “democracy” as to defy efforts to definitively capture its character; and indeed, the elusiveness of democracy’s essential nature is tellingly borne out by a recent research study that identifies no fewer than 550 different instances of what its authors call “democracy with adjectives.” No one now seriously doubts that democracy is a well-established “hoorah” word. But what is so striking about its privileged status in present-day belief is that it has become so pervasive and at the same time somehow managed to remain deeply ambiguous. Arguably the boldest, pithiest, most discerning and certainly most famed attempt to capture its essence remains Winston Churchill’s suggestion, now a virtual platitude of popular consciousness, that democracy is the worst form of government, except all the others. Now, as it happens, Churchill did not himself claim to have been the originator of this phrase or the several commonplace variants of it. It is worth recollecting the great man’s actual words, spoken in the House of Commons on November 11, 1947:

Many forms of government have been tried, and will be tried in this world of sin and woe. No one pretends that democracy is perfect or all-wise. Indeed, it has been said that democracy is the worst form of Government except all those other forms that have been tried from time to time.

Note his actual words: “*It has been said that* democracy is...etc.” Strictly-speaking, then, so far from tendering his own view Churchill was instead retailing hearsay evidence in claiming that democracy was “the worst form of government except all those other forms that have been tried from time to time.”

What would Michael Oakeshott have made of all this? Bear in mind that Winston Churchill, although a Victorian in primary formation, was a politician in what had since

his early lifetime become decidedly democratic times. Oakeshott though was resolutely a political philosopher, and with that in mind we might reasonably suppose for starters that he would have had little quarrel with Churchill's evocatively Augustinian inference that there is a connection between *all* forms of government and this all too human world of "sin and woe." On the other hand, Oakeshott might have viewed the actual number of forms of government that had been or might one day still be tried as more limited than Churchill's words seem to imply. He might also have been disinclined to accept without qualification the perhaps too sanguine tone of Churchill's point about no one pretending that democracy is "perfect or all-wise." For most of the second half of the twentieth century the unremitting growth of the reach of government in Britain as elsewhere in the name of the purported authority of a democratic mandate surely meant that not a few benighted souls must have been tempted at least to believe in democracy's omniscience, which is perhaps what made Monty Python's Minister of Silly Walks, come to comic life in the person of John Cleese, so very funny.

But what might Oakeshott have thought of the main contention, either in the most commonly-received version, that democracy is the worst form of government except all the others, or in the version provided by Churchill's own words, that "democracy is the worst form of Government except all those other forms that have been tried from time to time?" Now, there is arguably an insinuation in both these formulations that "democracy" (for want of a better word) was in Churchill's estimation and that of those who found his point prescient preferable to the alternatives because it alone held out promise of a non-perfectionist style of politics that was most appropriate to the circumstances in which the postwar European world found itself. But even after making allowance for such an evidently well-intentioned motive, Oakeshott would still, I think, have had his reservations about the proposition. The first of the two formulations he would have been inclined to reject primarily on philosophical grounds since, in his way of seeing things, the activity of governing is one in which no single *form of government* can be made to serve on its own as the necessary and sufficient condition for an internally coherent and wholly self-contained regime. For Oakeshott, the sense of a "regime", for which he was indebted to both Aristotle and Montesquieu, requires both consideration of the *form of government* and a corresponding appreciation of the character of the *office of*

government. To believe otherwise is not a mere matter of muddled thinking but a potential danger to liberty. We are in consequence bound to regard all attempts to reify what are misleadingly presumed to be the essentially stand-alone arrangements of a form of government in order to invest them with the tangible features of a living regime of liberty, whether the form in question is a “democracy” or any other “pure” government for that matter, as a futile engagement in pursuit of a mere abstraction.

As a matter of idle speculation, one wonders whether the disturbing implications of confusing the form and the office of government might have momentarily dawned on Churchill in the same House of Commons in which in little over a year’s time he was to deliver himself of his subsequently famed negative utilitarian verbal commendation of “democracy”. On April 2, 1946 the future Lord Shawcross, reflecting the hubristic mood of the electorally-triumphant Labour Party on its seemingly unstoppable forward march to the New Jerusalem of a comprehensively socialistic Welfare State, conjured up a paraphrase of a passage from Lewis Carroll’s *Through the Looking Glass* and used it to mercilessly taunt the depleted Opposition Conservative benches with the words: “We are the masters of the moment, and not only at the moment, but for a long time to come.” This well-known partisan utterance, often misquoted as “We are the masters now”, dates from a period of high drama in British constitutional affairs, witnessed first hand by Oakeshott. Prominent intellectuals and left-wing politicians (not least, Oakeshott’s controversial predecessor in the LSE Chair, the “red professor”, Harold Laski) spoke disconcertingly of a coming “revolution by consent”---openly vowing not to allow what they were convinced was the intransigence of the vested class interests reflected in the traditional operations of the British system of government to stand in the way of the realization of “parliamentary socialism”. I do not mean to suggest that Oakeshott’s characterization of the activity of governing is in any sense a mere reflection of the topical political events of the day; like all notable political philosophy, his interests ultimately transcended the discrete contemporary circumstances in which they arose. But it was in the midst of the deeply contested doctrinal conditions of early postwar Britain that he set down some of the key authorial signposts pointing the way to the articulation of his most fully considered work of political philosophy, *On Human Conduct* (1975). And alluding to the topical skirmishing of these years in British politics serves at the least

to remind us of Oakeshott's astuteness of judgement and also of his realism in stressing how important it was to keep the form and the office of government conceptually distinct, lest they end by becoming practically unified.

There is another point to which I now turn that relates more to Oakeshott's interest in history. The formulation involving Churchill's own words that "democracy is the worst form of Government except all those other forms that have been tried from time to time" was one, I think, that Oakeshott would have been inclined to view as lacking in historical nuance. For surely, no historian familiar with the riches of modern European social and political life would be prepared to accept without some sort of qualification the claim that the other forms of government that have been tried "from time to time" were, each and every one of them, *all* worse than democracy. In an historical perspective, it is highly misleading to imagine that democracy has been somehow substituted *holus bolus* for all preceding forms of government, and that, with the instantaneous arrival of democracy, every one of the alternatives was consigned in its entirety to some hypothetical scrap heap of institutional anachronisms. Figuratively-speaking, democracy must have come from somewhere; and with no disrespect intended for the enthusiasm of its partisans, there is abundant historical evidence that their Goddess of Democracy was hardly the result of an act of Immaculate Conception. It is surely more plausible to suggest, with the historian, that so far from being a pure form of government democracy as it is manifested in the contemporary world has more the character of a composite form in which certain democratic features have been grafted on to certain features of the activity of governing hitherto entertained in the social and political life of modern Europe. Now, we need to keep in mind that, notwithstanding what in places appears to be Oakeshott's apparent lack of enthusiasm for democracy, he came not to bury but to praise it, at least in the form he chose to call "representative democracy". Already in 1939 he made abundantly clear in *The Social and Political Doctrines of Contemporary Europe* that the central principles of representative democracy, of which he plainly approved, were "*that a society must not be so unified as to abolish vital and valuable differences, nor so extravagantly diversified as to make an intelligently co-ordinated and civilized social life impossible, and that the imposition of a universal plan of life on a society is at once stupid and immoral.*" (italics added)

In undertaking to provide a fuller accounting of Oakeshott's appreciation of what is entailed in his notion of "representative democracy", I extrapolate in the main body of my paper evidence from his writings touching on the topic over a period of some fifty years. These sources are wide-ranging and chiefly include several papers dating from the 1920s and the 1930s, *The Social and Political Doctrines of Contemporary Europe* (1939), the posthumously published *The Politics of Faith and the Politics of Scepticism* (1952, 1996) and *Morality and Politics in Modern Europe* (1958, 1993), certain of the postwar essays that made their way into *Rationalism in Politics* (1962, 1991)), and, more briefly, *On Human Conduct* (1975). As often as not in these varied materials, the topic of "democracy" is figuratively in the background rather than in direct focus. In brief, for Michael Oakeshott the form of democracy, when matched to a politics of individualism, has the potential to approximate to a regime of liberty appropriate to the circumstances of our time; but when matched to a politics of collectivism, democracy is potentially the worst of regimes, a sort of inverted absolute monarchy with unprecedented amounts of power at its command in the world in which we now live. Let me add that the terms "a regime of liberty" here---given in the plural in the title of this paper---are not derived from Oakeshott but are my own. Oakeshott's view, indeed, like that of Hobbes (and despite such titles as, say, F.A. Hayek's well-known *The Constitution of Liberty*), was that there are strictly-speaking *no* "constitutions of liberty" as such; he held instead that all constitutions are necessarily or by definition *constitutions of authority* and that it was to the nature of the relationship between the *form* and the *office* of government---and especially the delineation of the characteristic political disposition of the office of government---that we must turn in considering the matter of liberty.

Oakeshott's exploration of the character of representative democracy in *The Social and Political Doctrines of Contemporary Europe* (1939), then, was subsequently joined by further attempts to bring together his philosophical and historical interests in the tentative identification of an unobtrusive but highly suggestive normative regime of liberty. Representative democracy as a normative regime of liberty in the Oakeshottian sense presupposes a civilization. The good political life is dependent on the steady flourishing of what he terms "sociability", a circumstance in which discrete selves are both acknowledged as valuable in and of themselves and joined by bonds of friendship

and love of country which are at the core of a shared identity. Finally, the continued guardianship of these three---civilization, individuality and sociability---requires an sympathetic recognition and acceptance of the completeness of the authority of the modern state, and a political education appropriate to nurturing and sustaining in rising generations of associates a patriot's appreciation, both heart-felt and reasoned, of the obligations of subjects in the everyday life of a people deserving of the enjoyment of liberty. Representative democracy, moreover, entailed the approximation by associates to a normative mean imagined to rest somewhere between the constitutional forms and authorization of monarchy or aristocratic republicanism at one extreme and democracy at the other; and in respect of the disposition of the office of government, a style of politics as "the pursuit of intimations" appropriately weighted between the notional premises of civil association on one hand, and enterprise association on the other. Oakeshott is clear that all of this is an ideal characterization of what actually happens in the goings-on of a modern European state, a composite portrait in which no one of the considerations is to be regarded as separate from the others, but rather as all conceptually joined on a shifting continuum. The predicament of associates is that there can be no final resolution of their plight in political activity, no end to the journey, by aiming at the misguided pursuit of a unipolar regime of liberty. And that is why, at the close of my paper, I wrote that for Oakeshott "The adventure that is afoot is more a matter of Box and Cox in which liberty requires authority." American readers deserve an explanation of this somewhat esoteric Anglicism. The reference is to the name of a farce written by J.M. Morton in 1847, in which two characters, John Box and James Cox, occupy the same apartment, the one by day and the other by night; hence the term "Box and Cox", which according to the *OED* is "applied allusively to an arrangement in which two persons take turns in sustaining a part, occupying a position, or the like." Box and Cox does not quite capture the subtle dimensionality of Oakeshott's detailed argument, but it is possibly a step in the right direction.

Oakeshott's claim is that political activity in European in origin but that it is now found elsewhere in the world, and that, at least in the "intensity" in which it now exists, it is "a comparatively modern invention." In mediaeval Europe, for instance, interest was directed mainly to questions about *the authorization of ruling authorities*, and this

predilection entailed a notion of governing in which activity was limited for the most part to the provision of peace and order and to guarding the laws and customs of the community. As Oakeshott observes, there was a good practical reason for this: “the main circumstance that prevented the activity of governing’s being, or being thought proper to be, an activity of enterprise was not any abstract principle, but the conspicuous lack of power to be enterprising.” This situation continued well into early modernity; but gradually, roughly over the past four hundred years, the power at the disposal of modern governments has grown so much that it is now immense. And this has encouraged the appearance of a different center of gravity for political reflections. Preoccupation with *the office of government* has now become pre-eminent, and the earlier prominence of the constitution and authorization of government has been relegated to a subordinate position. What is surprising, Oakeshott suggests, is that what had been tantamount to a sea change in our habitual manner of perceiving the activity of governing has for the most part remained unobserved, and he offers several possible reasons for this perceptual nonchalance. First, while respect for the authorization and proper constitution of governments has remained strong, it is now routinely proffered for the wrong reason: the prestige of the governing authority has come to be seen as derived from its power to act. “Authorization”, he notes, “[now] mattered more because power and activity had increased.” And he adds, pointedly:

The case for that sort of constitution and authorization of government we call ‘democracy’ has been argued, whether or not correctly, very largely on the observation of the power at the disposal of modern governments; where it was not argued that a democratic constitution would increase the power of government, it was argued that it is intolerable that governments disposing of such immense power should not be democratically constituted.

Second, in the epochal struggles for political ascendancy pitting royalty against new aristocratic claims in the early modern world, constitutional issues were rhetorically at center stage, and this fostered a misleading but highly influential belief that the pursuits of government derive from the constitutions of government. For a long time thereafter constitutions retained a “fictitious pre-eminence” even though the main concern all along had been with the activities of governments “disguised as a concern with the constitutions of governments.” And third, this shift of emphasis has tended to remain concealed from

us because the political vocabulary of modern Europe, inherited from a mediaeval past in which it had been elaborated largely in relation to questions concerning constitutions and authorizations of government, is still substantially the same vocabulary but it is now used to articulate concerns centered upon the activity of governments. “This transposition is often hidden from us because the earlier usage remains unrevoked in our minds.” It is worth quoting the example that Oakeshott again chooses, somewhat reprovingly, to illustrate his point:

For example, the word ‘democracy’ stood originally for a government constituted and authorized in a certain manner, but has now commonly come to be used to indicate a government active in a certain manner; and similarly the word ‘freedom’, which stood for a condition of human circumstance recognized to be the concomitant of government authorized in a certain manner (Rousseau, for instance, contrasts ‘free’ with ‘monarchical’ governments), now commonly refers to a condition of human circumstance springing from what a government has or has not done.

In commonplace contemporary notions of the activity of governing, then, its two quite distinct components, the activity of ruling, and political activity, have erroneously come to be seen as effectively interchangeable, and this has fostered a ruinous transposition in which power is widely regarded as tantamount to authority itself.

Some have seen in Oakeshott’s ruminations on democracy the possibilities for a more engaged political theory, as with Hegel, inviting others to join them in their exploratory flirtations with a sort of Left Oakeshottianism. But my reading of Oakeshott’s views on the importance of keeping separate the form and/or authorization of government from the office of government, on the notional articulation of the premises of a regime of liberty, and on representative democracy, will be bound to disappoint those who have discerned in his work materials favourable to a defence of republicanism, or, for that matter, the potential for a radical theory of democracy. More in the manner of Alexis de Tocqueville than J.S. Mill perhaps, Oakeshott was a measured democrat, an adherent on sceptically-reasoned grounds of representative democracy as a potential regime of liberty. And it seems to me that the words with which the editors have chosen to close their introduction to a new edition of *Democracy in America* might as aptly be said of Michael Oakeshott:

Tocqueville learned to admire democracy, sincerely, if not wholeheartedly: it would be different from aristocracy, with its own virtues and vices, its own good and bad penchants, its own ideas, its own sort of greatness and beauty, neither

incontrovertibly superior nor inferior to what had preceded it. The fact that he criticizes democracy does not mean that he does not also speak ill of aristocracy or that he could not speak better of democracy, had he not deliberately left that to others. In the end, Tocqueville was a democrat, and more of a democrat than many of his contemporaries. Because he insisted that only political freedom could remedy the ills to which equality of conditions gives rise, he hopefully accepted that equality and, despite his fears, embraced the political freedom that democracy promised.¹

¹ Harvey C. Mansfield and Delba Winthrop (eds) *Alexis de Toqueville, Democracy in America*, Chicago, 2000, pp. lxxxv-lxxxvi:

Chapter I

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With a new century underway by the time of Michael Oakeshott's birth in 1901, the idea that "democracy" was inevitable, or on balance desirable, had begun to make more steady headway among a coterie of public moralists and university teachers influentially perceived to be champions of the more advanced British political thinking of the day. A tendency to reconsider the democratic idea in a more meritorious light was apparent elsewhere in Western Europe during Oakeshott's earliest years as well, even though there the legacy of Rousseau's impassioned celebration of popular sovereignty remained under a cloud as a purported accessory to the excesses of the French Revolution, and this served as a brake on any unqualified enthusiasm on the part of a wider continental audience for the newly asserted promise of democracy.²

This emergent vogue of democracy was incontestably most pronounced on the other side of the Atlantic. The indigenous roots of a felt yearning for democracy, loosely if somewhat awkwardly interwoven with the classical republican ethos of the Founding Fathers, had already been set afoot in America's earliest days in the doctrinal witness of Tom Paine; and it would find practical political expression in the energetic, westward-expanding phenomenon of Jacksonian Democracy. Of course, it was also in the Republic's still early decades that Alexis de Tocqueville brought to the intrigued attention of a larger European world testimonial evidence of a remarkable cultural ascendancy, in the profound insights, admiring but not without important aristocratic misgivings, of his *Democracy in America*---insights that have continued to command the introspective scrutiny of Americans of varying doctrinal stripe to the present day. By the second half of the nineteenth century, Walt Whitman's poetry epitomized for an appreciative, home-grown audience what was by then a firmly established panegyrical tradition in America. Amidst the speculative milieu of Michael Oakeshott's youth in the early decades

² And an influential body of European realist thought, associated especially with Moisey Ostrogorsky, Vilfredo Pareto and Robert Michels, continued to insist throughout these years that, once actually established, democratic regimes, like all the others, would reveal themselves to be systems in which political power always fell back into the hands of the few.

of the dawning twentieth century, this tradition was further augmented by the philosophical incursion of John Dewey's pragmatism, and by the concomitant arrival on America's national political scene of Woodrow Wilson's approving and highly moralistic portrayal of the democratic creed.

Yet while in doctrinal terms democracy might be observed to be in definite ascendancy during the early years of Michael Oakeshott's long life, most clearly in America and to a lesser extent in Britain and elsewhere in Western Europe, it was, strictly-speaking, as yet to be encountered only haphazardly in the settled institutional practices, let alone the ordinary public beliefs, of the leading nation-states of the civilized world. In Britain, the great electoral reform bills of 1832, 1867 and 1884 had gradually introduced an ostensibly democratic electoral for men. But women age thirty and over were not admitted to the vote until 1918, and this initial age restriction was not dropped to twenty-one and parity with men, until 1928---when Michael Oakeshott was twenty-seven years old. Then again, the United States remained throughout Oakeshott's early life, in both the detailed fabric of its constitutional order and in its customary political practices, more a republic than a democracy. The U.S. Senate, after all, was not popularly elected until 1916, and women were barred from voting in U.S. federal elections until passage of the Nineteenth Amendment in 1920. And indeed, it was not until well into the 1960s, when Oakeshott was nearing retirement from his LSE Chair, that black Americans were finally enfranchised. Elsewhere, too, in the political milieu of Oakeshott's youth the situation remained in many respects roughly as Hegel had endeavoured to theorize it a century before. The self-identification of the established European political societies, most of which were monarchical but some republican in institutional inheritance, was still apt to be expressed in the idea that each, in distinctive historical ways, aspired to more inclusively instance a civil society in which, in the unfolding ebb and flow of the spiritual fortunes of the state in the modern world, the practice of constitutional liberty remained the central aim rather than the pursuit in any consciously applied sense of the loose exhortative premises of the democratic creed *per se*.

Undoubtedly, many if not most of the great canonical political thinkers of the western tradition had been inclined to view democracy with scepticism, and even open hostility. Broadly, they believed that, in its emphatic commitment to equality, democracy was liable to lead to a dangerous conflation of its claims with those of “popular government”, with the result that experiments in democratic rule must eventually undermine the authority of constitutional liberty, and in turn, abet the rise of tyrants. This shared philosophical premise flourished from at least the time of Plato’s notorious attack on democratic license in Book VIII of *The Republic*,³ joined by Aristotle’s equally famed critique of democracy as inherently flawed because its authority was based on the interest of a particular class, the poor or the many. In *Politics*, Aristotle set down his influential preference for a mixed regime or polity---wherein the rule of laws went hand in hand with the political virtue of *phronesis* in the steady pursuit of the general or public interest through a life of active citizenship. Thereafter, for the canonical writers, democracy was generally seen as a promiscuous and inherently unstable mistress, its seductive prowess best displayed in the sleight of hand verbal trickery of rhetoricians and pamphleteers. And, after two millennia (and, for present purposes, close to the appearance of Michael Oakeshott on the human scene), the enduring influence of these venerable Platonic and Aristotelian positions, and myriad Roman, Christian and humanist variations on them throughout the intervening centuries, was clearly evidenced in British political thought in the generally harsh judgements passed on the democratic creed and its practice, notwithstanding the vigorous contributions to its concoction by Jeremy Bentham and James Mill earlier in the nineteenth century, by so many of the most gifted Victorian thinkers, including Carlyle, Ruskin, Arnold, Stephen, Maine and Lecky.⁴

³ But note Leo Strauss’s well-known view that, for all its many faults, Plato’s account of the democratic regime was one nonetheless that tolerated philosophy. Since its principle is freedom, it is a regime in which “all human types can develop freely...and hence in particular the best human type.” Cf. Leo Strauss, *What is Political Philosophy, and Other Studies*, New York, 1959, p. 36 passim. For an attempt at depicting the importance of Strauss and Oakeshott in the “redefinition” of American and British conservatism, see Robert Devigne’s somewhat programmatic *Recasting Conservatism: Oakeshott, Strauss and the Response to Postmodernism*, London, 1994.

⁴ See Benjamin Lippincott, *Victorian Critics of Democracy*, London, c. 1938.

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In the half century preceding Michael Oakeshott's birth, Britons conversant with contemporary affairs remained divided over the claims of the immediate forbears of the democratic creed in the British Isles, Jeremy Bentham and James Mill, to be regarded as thinkers of the first rank. In a political society long caricatured by foreigners for its wariness of bright ideas and their inventors, Bentham's broadly received reputation was that of an oddball reformer and irredeemable theoretician, while his chief propagandist, the elder Mill, was seen as a doctrinaire, too unbending in his lapsed Presbyterian high-mindedness to command general sympathy

It was Plato who long ago suggested that democracy was the regime containing many regimes, and one is put in mind of this ancient insight in pondering Michael Oakeshott's rendering of modern Representative Democracy in *The Social and Political Doctrines of Contemporary Europe*. For as we have seen, he is inclined to depict it, against a 1939 backdrop of darkening skies across the continent, as a tradition of ideas rather than a fully coherent system, a tradition that, in English thought at least, "has succeeded to more than one inheritance"---including aristocratic constitutionalism, nonconformity and radicalism. We have witnessed too Oakeshott's dogged insistence that Representative Democracy, as he understands it, was something "both older and younger than Liberalism, something of which Liberalism was an expression but an incomplete expression." But having now reiterated the evidence of his own testimony in the matter, it is notable (as he himself allows) that almost all of his Representative Democracy selections are taken from nineteenth century sources, that he pointedly disregards Bentham, and that he excludes twentieth century materials altogether. "I know of no contemporary classic statement of the doctrine", he suggested by way of explanation, adding sardonically that "it belongs to the character of this doctrine to be a little behind the times." Even more remarkable perhaps is his decision to pass over in silence any selections that predate his sole pre-nineteenth century extracts from the Declaration of Independence (1776), Paine's *The Rights of Man* (1791) and the *Declaration* (1789), a seeming oddity for a writer of such acute historical sensibilities.

Setting right this apparent lacuna by bringing into fuller view certain of the as yet missing features of Oakeshott's appreciation of Representative Democracy requires that

we now turn to important correlative evidence concerning the character of modern politics to be found in his writings elsewhere, having due regard to relevant aspects of European political history embedded in them. If, in modernity, as earlier suggested, western social and political life had cut loose from its old medieval moorings, there also persisted in the early modern affairs of the longstanding European political societies a rich and only gradually self-consciously felt inheritance of habitual social practices and institutional traditions. And though a new individuality concomitant with the nascent celebration of private liberties was already in the air, early modern European political life cannot plausibly be said to have been in primary formation, as might later be rhetorically claimed of more fabricated, newer states, originally founded on bedrock of popular politics. On the contrary, in Great Britain, the appearance of modernity entailed the arrival only slowly and as a result of no evident rational design of what we might call a *politics of policy*---a politics of authority and of public administration, of politics of governance already in place long before anyone thought to theorize it, a feature of a world of practices in which politics was the purview of the party of state and in which governing loomed larger than politics *per se*.⁵

The underlying premises of this initial early modern politics came to be tentatively articulated in the English Reformation. Indubitably, the grain of the politics of policy was an authoritarian politics in the primary service of absolute monarchs, but there was room in it for at least intermittent recognition of the traditional rights and freedoms of the proverbial English yeoman. Many writers from varying perspectives bore witness to the newly self-conscious features of this emergent manifestation of the monarchical tradition, and some of them sought to sustain the living memory of an ancient English constitution which, as David Hume later expressed it, “had lain in a kind of confusion; yet so as that the subjects possessed many noble privileges, which, though not exactly bounded and secured by law, were universally deemed from long possession to belong to them as their

⁵ Note the etymology of the English word ‘govern’, from the Latin *gubernare*, to steer, a shipboard activity adapted to express the notion of ruling with authority. That such an understanding continues to flourish in democratic Britain is evidenced in the testimony of Labour and Conservative Cabinet Ministers from Richard Crossman to Alan Clark, whose ambitious political plans have been routinely thwarted by permanent civil servants. And look at the spectacular popularity of Sir Humphrey Appleby and his endless bureaucratic machinations, often at the expense of a hapless Prime Minister James Hacker (an LSE graduate), in the long-running *Yes, Minister* and *Yes, Prime Minister* television series.

birthright."⁶ The tensions between those who insisted on recollecting this powerful historical myth and those inclined to ignore or forget it begat competing advocacies in the tumult surrounding the Great Rebellion and its aftermath, and were to yield what became a countervailing *politics of doctrine*, carrying forward this awakening contestation for the authority of governance reflecting alternative understandings of the nature of the English constitution. Now strictly, the term “doctrinal” denotes an exercise in which the “principles” of something have been extracted from a more fully attendant character presumed to be given, something already present in the larger world of experience. Only then might the precepts or maxims of a certain understanding of moral and political conduct have been given an identifiably “doctrinal” formulation. And even when fully elaborated, such doctrinal precepts would amount to no more than abstracted, short-hand accounts of a fuller underlying character.

These doctrinal understandings were, in a manner of speaking, the remote forerunners of a distinctive tradition of so-called “higher politics” in Britain.⁷ They were identified with differing religious dispositions co-joined with social and economic interests, and they informed the characteristic beliefs of the Roundheads and Cavaliers, and of their party political successors, the Whigs and the Tories. From these, in turn, were descended the historic eighteenth century English parties of Country and Court, rallying political supporters to their respective constitutional banners with combined appeals to doctrinal principle and socio-economic interest, the self-identification of the former already at the time of their formal partisan articulation for long already deeply embedded in the English past. Whig and Tory, Country and Court, themselves found renewed materialization as Liberal and Conservative.⁸ And so it came to pass that, later still in the fading decades of the nineteenth century, there would make its provisional debut in British public life a

⁶ David Hume, “Of the Parties of Great Britain”, in Charles W. Hendel (op. cit.), p. 90. See too J.G.A. Pocock, *The Ancient Constitution and the Feudal Law*, Cambridge, 1957, 1987, and Glenn Burgess, *The Politics of the Ancient Constitution: An Introduction to English Political Thought, 1603-1642*, London, 1992.

⁷ See for instance Maurice Cowling, *The Impact of Labour, 1920-1924: The Beginning of Modern British Politics*, Cambridge, 1971, and his follow-up volume *The Impact of Hitler: British Politics and British Policy, 1933-1940*, London, 1975. Also, Michael Bentley and John Stevenson (eds), *High and Low Politics in Modern Britain, Ten Studies*, Oxford, 1983.

⁸ The continuing historical purchase of these approaches to politics is neatly illustrated by the manner in which F.A. Hayek, dissatisfied with the current spectrum of party political affiliations, declared himself in 1960 “an unrepentant Old Whig---with the stress on the ‘old’.” See his important *The Constitution of Liberty*, Chicago, 1960, Appendix, “Why I am Not a Conservative”, p. 409.

politics of programme, the rhetoric of which tended to be avowedly a rhetoric of popular government, its self-understanding one in which politics itself, seen from a vantage point urged upon the audience by politicians active in its performance, threatened in its more radical incarnations to displace the preeminent authority of authority itself. The politics of policy, doctrine and programme, then, point to three distinctive idioms of discourse in modern British politics that in manifesting themselves is each in some sense correlative, but all alike devoid of a capacity definitively to supplant or succeed the others.

Chapter II

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It is a minor curiosity of Michael Oakeshott's intellectual biography that though he earned a certain notoriety as a scourge of the text-book writer following his 1951 LSE Inaugural Lecture on "Political Education", he had himself a dozen years before turned his hand to the compilation of "a book of documents" which, if not strictly a text-book of the sort now generally considered standard fare in the undergraduate political studies curriculum, was intended to serve in schools as well as in universities as a rough textual guide to *The Social and Political Doctrines of Contemporary Europe* (1939). He had been approached (sometime in 1937) with the suggestion that he undertake to prepare the volume by Sir Ernest Barker, who was at the time the doyen of British students of political philosophy. It is perhaps a mark of Oakeshott's rising star that he should have been asked to take up this task, since the current incumbent of the LSE Chair in political theory, Harold Laski, or G.D.H. Cole, the incumbent of Oxford's Chichele Chair, both renowned for their passion for doctrinal politics, would presumably have been obvious alternatives.

Oakeshott's first book, the important and demanding *Experience and Its Modes*, had appeared six years earlier in another symbolically inauspicious year, 1933. But as was the case with David Hume, whose precocious and ground-breaking first book was published at a similarly early age to seemingly deaf ears, *Experience and Its Modes*, despite a favourable review by R.G. Collingwood, would require fully three decades to exhaust its original print run of 300 copies; and it was only with the release of a new printing in 1966 followed by a more accessible paper-covered version in 1985, that its philosophical stature was to become more generally assured. In contrast, the more ephemeral and topical *Social and Political Doctrines*, now generally neglected, was an immediate success. Although printing paper remained in short supply in the war years, the book was issued in a Second Edition only two years after its first appearance, and this 1941 edition was followed by a separate American edition the following year,

with five Prefaces by University of Wisconsin political scientist Frederic A. Ogg, “specifically addressed to readers in the United States”. This 1942 American edition was to remain in print through a ninth printing in 1953.

Revisiting the admittedly somewhat dated *Social and Political Doctrines* today with the benefit of hindsight, one finds evidence⁹ of a characteristic approach to political doctrines in general and democracy more particularly that Oakeshott was to elaborate in the decades to come as part of a larger philosophical view of the human world already intimated in the pages of *Experience and Its Modes*. We now live he began, in an age of “self-conscious communities”. And *Social and Political Doctrines* was a book for those interested in ideas, though it would be a mistake to suppose that the value of a regime must depend on the intellectual competence of its apologists: “indeed, in most cases, practice is more coherent than doctrine and its superiority should be recognized.” The task of the intellectual critic of a doctrine was to detect incoherence, but any successes he may have were unlikely to affect the course of practical affairs. Oakeshott proposed to focus his attention on five from among what he regarded as a remarkable variety of contemporary European social and political doctrines: Representative Democracy, Catholicism, Communism, Fascism and National Socialism, each of which had what he termed “a universal aspect” and each chosen on the grounds that at the time it could claim some sort of actual realization in the life and order of a particular national community. What is more, these doctrines signified “five separate and distinct ways of conceiving the fundamental character of society, and by implication, five separate and distinct ways of conceiving the nature and earthly destiny of man.” It follows that Oakeshott thought the common view that Representative Democracy was merely a method of government was untenable.

Their intellectual defects as doctrines aside, there was no denying the “remarkable success” of all five of them in “subjugating whole communities.” By a rough measure, it appeared to Oakeshott that the second best of them was Catholicism, even though it was widely regarded by the ignorant as “a harmless museum piece”. Because of its formal doctrinal articulation by a great philosopher, St. Thomas Aquinas, it was more systematic

⁹ Matter in quotation marks in the summary paragraphs of this section is taken from Michael Oakeshott, *The Social and Political Doctrines of Contemporary Europe*, Cambridge, 1939, “Introduction”, pp. xvii-xviii.

and philosophical than all the others, as well as being the sole contemporary representative of the Natural Law theory so central to the historic European tradition;¹⁰ besides, at least as far as England was concerned, Catholicism was the source of “many of the principles which belong to the historic doctrine of Conservatism.” Then there was the doctrine of Communism, which despite its evident self-contradictions and “a quaint mediaeval jargon”, was at least imaginative, proposing “a type of society, and indeed a type of man more unlike what the world has hitherto seen than any of the other doctrines.” Next there was Fascism, which “asserts as fundamental principles what anyone might be excused for believing for a short time and in unfortunate circumstances” and “few can desire war more than anything else.” The most disagreeable of the lot for Oakeshott, was, by inference, National Socialism. This youngest of the new regimes in Europe, like all the others, claimed a universal character; but more than any of the others, he alleged, “it came into being in order to put a specific policy in operation.” In its tone of self-righteousness, as in the zealotry of its doctrines of race, blood and leadership, its nationalism was more fierce even than that of Fascism, and it was socialistic only in the sense of its obsession with a planned society.

But it was the extracts concerned with “Representative Democracy” that Oakeshott chose to place first in order. He regarded it, for all its muddle, as on balance the most important and protean of the contemporary doctrines of European social and political life. The oldest, Catholicism, rejected outright the primacy of secular authority in the modern world, but otherwise, “Each of these newer doctrines is an express reaction from the Democratic doctrine as a whole or from some specific elements of it.” There was no denying the force of Fascism’s critique of the fallacy of abstract individualism in Liberal Democracy, in which the individual was misleadingly imagined as being somehow independent of his society, just as there was much to learn from Communism’s radical criticism of Liberal Democratic doctrine. But it turned out that each one of these newer doctrines was importantly *derived from* aspects of Representative Democracy. As much might be said perhaps of more recent fashions in social and political doctrine, including multiculturalism, feminism, environmentalism and even (though its terrorist variant

¹⁰ Even though Oakeshott makes clear that he does not himself subscribe to the philosophical assumptions of the natural law tradition.

seems to be intent on pursuing to the end the “fruitless, if heroic, act” of abandoning civilization altogether) fundamentalism. In Oakeshott’s estimation, democracy was in fact “the parent of these ungracious children” and it consequently “lives on” in their denunciations of it---from the materialism of Fascism and National Socialism, to the reappearance of the democratic moral ideal of productivity in Communism.

Oakeshott then undertook to explain why he had finally and with difficulty settled on the descriptive rubric “Representative Democracy” to express the sense of the social and political doctrine under which, he submitted, “the majority of civilized mankind still live.” He had rejected “Liberal Democracy” to avoid confusion with what he termed “the crude and negative individualism” of much current “Liberalism” and because he believed that the intellectual domination of Liberalism since before 1789 “was hardly short of despotism.” Besides, it was a complex business trying to “extract the true metal of the liberal doctrine from the base ore from which it has never yet been successfully separated” and he wanted to avoid any suggestion that he regarded the idea of democracy he had in mind as a direct product of Liberalism. Now, an inattentive reader might be forgiven for coming away with the impression that Oakeshott in this pre-war collection was rather dismissive, not only of Liberalism, but of democracy as well. And he does speak of democracy as “a Rip van Winkle of social and political doctrine who cannot understand what the others are saying and who has not the wit to learn, and whose sleep has been all the more profound because it has been the waking slumber of dogmatic repose.” He acknowledged, moreover, that the “characteristic simple-mindedness” of democracy “makes it appear in the modern world as a fool among knaves.” But that said, Oakeshott was at pains to dispel an interpretation of his own position based on these asides as antithetical to the representative democratic regime. On the contrary, according to Oakeshott in 1939, representative democracy had the benefit over the alternatives of having shown itself “capable of changing without perishing in the process, and it has the advantage (denied to all the others save Catholicism) of not being the hasty product of a generation but of belonging to a long and impressive tradition of thought. It contains, I believe, a more comprehensive expression of our civilization than all the others...and its adaptability is a sign of vitality rather than mere vagueness.”

What he was after in having recourse to the descriptive rubric “Representative Democracy”, he mused,

is something both older and younger than Liberalism, something of which Liberalism was an expression but an incomplete expression. Liberalism in that sense is perhaps dead; the doctrine of Representative Democracy has survived that death. And again, Liberalism in England is still understood as the creed of a party and to be contrasted with Conservatism and Socialism, whereas the doctrine I wished to find some statement of, the doctrine of Representative or Parliamentary Democracy, is a tradition expressed, so far as this country is concerned, in the spirit of our laws rather than in the programme of any one party. Nevertheless, it is a Liberal doctrine...the social and political beliefs of Representative Democracy are more in the nature of a tradition and a tendency than a well-knit doctrine, and are, in consequence, more difficult to express precisely and completely.

Oakeshott’s overall object then, was to convey the central principles of representative democracy as principles of which he plainly approved: *“that a society must not be so unified as to abolish vital and valuable differences, nor so extravagantly diversified as to make an intelligently co-ordinated and civilized social life impossible, and that the imposition of a universal plan of life on a society is at once stupid and immoral.”* So emphatic was he about this point that he later reiterated it in a footnote pointing up a fundamental cleavage separating the moral ideals of the five doctrines he had now passed in review, *“between those which hand over to the arbitrary will of a society’s self-appointed leaders the planning of its entire life, and those which not only refuse to hand over the destiny of a society to any set of officials but also consider the whole notion of planning the destiny of a society to be both stupid and immoral.”* On one side stood three modern authoritarian doctrines, and on the other, Catholicism and Liberalism. *“To the Liberal and the Catholic mind alike”,* he declared, *“the notion that men can authoritatively plan and impose a way of life upon a society appears to be a piece of pretentious ignorance; it can be entertained only by men who have no respect for human beings and are willing to make them the means to the realization of their own ambitions.”*¹¹ It is no overstatement to suggest that, in having thus drawn attention to these bifurcating moral tendencies of the social and political doctrines of contemporary

¹¹ Italics added to these quoted passages. Note that in the “Editor’s Introduction” to *Michael Oakeshott: The Politics of Faith and the Politics of Scepticism*, New Haven and London, 1996, hereafter cited as *PFPS*, Timothy Fuller likewise draws the reader’s attention to the anticipation of that work’s central theme in the footnote passage from *SCDCE* quoted here.

Europe on the eve of the Second World War, Oakeshott planted the seed that would yield more fully elaborated schemata in decades to come concerned with the identity of the character of politics in a modern European state.

Interestingly, while Oakeshott advised the reader that his collection offered no particular conclusion, he did acknowledge that perhaps the most remarkable discovery, for him, has been “the comparatively small amount of damage” which the doctrine of Representative Government has suffered from “the bombardment” of hostile criticism levelled against it by the authoritarian social and political doctrines of contemporary Europe. “When we consider the net result of this criticism,” he averred, “it is difficult to see that anything relevant has been said against the doctrine which, for example, Matthew Arnold did not say half a century ago, and said much better.”¹² In short, the philosophy attached to Representative Democracy was, in his estimation, “a little better” than some of the other doctrines he had considered, and the need nowadays was thus not for the outright rejection of Representative Democracy but for a radical restatement of its principles---addressing especially the “inadequate foundations of Mill’s individualism”. Though he would tend to substitute for “tradition” in the years to come the term “practice”, and to imply an alignment at least between “Representative Democracy” and the “politics of scepticism”, or alternatively “the politics of individualism”, and then ultimately “civil association”, Oakeshott remained committed to what he had begun in this initial prewar task of elaboration of the contemporary political doctrines of Europe throughout the remainder of his long life.

Now, although Oakeshott alluded to his dissatisfaction with Mill’s account of individualism he nonetheless assigns him a central place in the extracts selected to illustrate the general assumptions of Representative Democracy. Of an original nine selections, joined in the second edition by two more given in an Appendix added to the second edition in 1941, five were drawn from Mill’s *On Liberty* (1859) and *Considerations on Representative Government* (1861). These extracts cover Mill on the history of liberty, individuality, the limits of social authority, as well as his defence of the propositions that the “ideally best form” of government is representative government, and

¹² Presumably he has in mind here Arnold’s spirited denunciation of the “philistinism” of popular or democratic culture.

that “a necessary condition of free institutions that the boundaries of governments should coincide in the main with those of nationalities.” In addition, there is a brief passage from Tocqueville’s *L’Ancien Regime et la Revolution* (1856) in celebration of freedom, others from Abraham Lincoln and Tom Paine on the nature of government, from William Cobbett on the right to take part in making laws, T.H. Green on justifiable interference with freedom of contract, another from Abraham Lincoln intended to illustrate a fallacy in the Liberal democratic doctrine concerning the nature and causes of dictatorship in the modern world, and finally, in the 1941 Appendix along with Mill on nationality, passages from the U.S. Declaration of Independence (1776) and the *Declaration des Droits de l’Homme et Citoyen* (1789) indicative of important elements of the democratic tradition and doctrine previously overlooked, including rights and “government by law (that is, government as the administration of justice and not the discretion of a ruler).”¹³ In a short overview to these selections, Oakshott drew attention to the absence of any statement on the doctrine of property, justifying this as defensible since, in his way of seeing things, property, while certainly a social doctrine of the first importance to Representative Democracy, was conceptually derivative from the more fundamental concept of the individual.

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Now, in pursuing his interests in the history of modern political thought and the dispositions to be found in it, Oakshott offers little detailed discussion of what sort of institutional fabric might be said to be appropriate to the good types of monarchy or aristocratic republicanism and democracy, preferring to restrict his inquiries to a more general frame of reference. The same proclivity is evident in several early occasional papers that relate tangentially to the matter. We have seen the rather acerbic regard in which he appears to have come to hold politics and politicians in the contemporary scheme of things by the 1950s, but as one of these earlier papers makes clear, his postwar outlook merely corroborated a position he had already set out in a short essay published in the very year of the onset of hostilities in World War Two and the appearance of *The Social and*

¹³ That Oakshott had already before the publication of *SPDCE* begun to think seriously about the importance of the rule of law is suggested by the publication the year before of his essay on “The Concept of a Philosophical Jurisprudence”, *Politica*, 3 (1938), pp. 203-222, 345-360.

Political Doctrines of Contemporary Europe (1939). In this paper he insisted that the benefits to be had from everyone taking a more active part in politics were greatly exaggerated. “Political activity”, he ventured to submit, “is neither the only adequate expression, nor the overwhelmingly most important expression of a sensibility for the communal interests of a society or of mankind...I do not think that there is a duty for everyone to take part in it.” Even in a world replete with loose liberal democratic belief, he averred, politics rightly remains a specialized form of activity conducted largely on the surface of the life of a society, its proper purpose largely the protection and occasional modification of a recognized legal and social order. Political activity may have brought about Magna Carta and the Bill of Rights, but the contents of these historic documents really derive from “a stratum of social thought far too deep to be influenced by the actions of politicians. A political system presupposes a civilization; it has a function to perform in regard to that civilization...mainly of protection and to a minor degree of mere mechanical interpretation and expression.” We must not, though, equate the narrow governing activity of guardianship with creating and recreating the values of a society. “Societies,” Oakeshott submits, “are led from behind”¹⁴, by their artists, poets and philosophers, and this is true, he concludes, with a pointed reference to the imminence of war, no less in times of crisis than in others.

In a much earlier paper, written when he was not yet in his mid-twenties, an earnest young Oakeshott provided background perspective on what some might have thought, given the topical circumstances of the day, highly provocative in this position. While he was later to express vigorous disapproval of the unhelpful intrusion of the alleged authority of “the social” in so much contemporary political rhetoric, here he acknowledged that consideration must nonetheless always be given to the social whole---a double-sided compound of individual selves and the substance of those selves---as the very precondition for a fuller

¹⁴ Quoted matter in this paragraph is from Michael Oakeshott, “The Claims of Politics”, reproduced in *RPML* pp. 91-96. Oakeshott’s general position in this paper seems to hint at the now renowned imagery of “Political Education”, where Oakeshott reflects: “In political activity...men sail a boundless and bottomless sea; there is neither harbour for shelter nor floor for anchorage, neither starting-place nor appointed destination. The enterprise is to keep afloat on an even keel: the sea is both friend and enemy; and the seamanship consists in using the resources of a traditional manner of behaviour in order to make a friend of every hostile occasion.” *RP*, p. 60.

understanding of the “political life” or the “good life”. This essence, which he terms “sociality”, is the metaphoric law of life for any given society, and it cannot be captured completely by either naturalistic or utilitarian means. Nor is it mere sociableness. Since biological and legal man are abstractions, he suggests that it is only in friendship, as Aristotle so wisely saw, that we can achieve the unity of life and mind that informs sociality and points to the principle of the good.¹⁵ As it happens, though this is a consideration that he acknowledges has become somewhat out of focus in our time, the deepest insights into the nature of love and friendship derive from the large and difficult subject of religion. And it is worth noting that reference to this connection, a lifetime interest of Oakeshott’s, should have lead him directly on to some heartfelt reflections on patriotism---“a subject much on our minds during these years”. He left no doubt that he personally regarded patriotism as “the basis of all morality...the greatest emotional and intellectual effort of which we are capable...We cannot refuse to acknowledge something real in the impulsive love of country and countryside which plays so great a part in the life of most of us.” The account he has attempted to provide of the character of social life, he concluded, is one in which like the finite selves in the philosophy of Plotinus, “all move round a single conception, but do not always fix their gaze upon it. They are like a choir of singers standing round the conductor, who do not always sing in time because their attention is diverted from him. But when they look at him they sing well.”¹⁶ Looked at from a somewhat different angle, in Oakeshott’s conception of sociability associates know how to play and not merely to work.¹⁷

In a third early paper on “The Authority of the State”, Oakeshott set out to examine the notion of finite selves moving round a single conception of sociality from another, but clearly correlated perspective, aimed at eliciting the formal requisites of the political or the good life in such a universe of understanding.

¹⁵ “To pause for a moment and see how far we now are from the speculations on governmental form and organization which occupy the major part of our political ‘philosophers’ today, is to see how far modern political philosophy has strayed from a true view of its proper subject matter.” Michael Oakeshott, “Some Remarks on the Nature and Meaning of Sociality”, *RPML*, p. 59.

¹⁶ *RPML*, p. 61, 62. He added, years later in “On Being Conservative”, that friendship, patriotism and conversation “each...demands a conservative disposition as a condition of its enjoyment.” *RP*, p. 417.

¹⁷ Cf. Oakeshott’s posthumously published “Work and Play”, *First Things*, 54, June/July 1995, pp. 29-33.

Here, writing in his late twenties, he already displays an apparent philosophical debt not only to Hegel but to Thomas Hobbes before him. Rejecting alternative, allegedly more “factual” notions of the state as a piece of territory, a collection of persons, the secular or the political whole, he asserted that the state is “the social whole which is correlative to individuals who are complete and living persons; or, in other words, the totality of an actual community which satisfies the whole mind of the individuals who comprise it...Government and law, economics, religious, intellectual and every other activity and aspect of social life find their explanation in this totality.” And he immediately added: “it is to perfect this, and not merely themselves, that they exist.” Now, it hardly follows, as some would have us believe, that this entails investing the noun “society” with a life of its own, thus opening the door to the typically politically-motivated reification of the adjective “social” rendering it a supposedly justificatory term. Oakeshott is clear that, in some fundamental sense, a state is nothing other than its members. But, he cautions, before we can gain further purchase on what this entails in philosophical terms, we must first abandon “the moral and legal conception of the individual as that which is isolated, for a more concrete conception which takes him to be that which is complete.”¹⁸ And for Oakeshott, it was precisely at this point that the centrality of the authority of the state revealed itself:

The authority of the state is not mere government and law, nor is it founded upon a contract or any other form of the consent of the people, but resides solely in the completeness of the satisfaction which the state itself affords to the needs of concrete persons. Apart from its completeness, the state has no authority, for that only is authoritative, in the full sense, which is itself complete. Of this authority, and of no other, can it be said: *Non est potestas super terram quae comparetur ei.*¹⁹

As background to his ruminations about the history of modern political thought and the dispositions of character to be observed in it, then, Oakeshott had early posited several important considerations of a broadly philosophical nature. In the

¹⁸ Michael Oakeshott, “The Authority of the State”, in *RPML*, pp. 74-90 (83)

¹⁹ *Ibid.*, p. 87. The Latin phrase deployed by Oakeshott here is, of course, taken from the famed frontispiece to the 1651 Andrew Crooke edition of Hobbes’ *Leviathan* depicting a figure made up, on close inspection, of numberless discrete individuals. Above his crown is written the inscription, in Latin, from *Job*, 41, 24, signifying that there is no comparable earthly power.

first place, a political system as he understands it presupposes a civilization. The good political life, moreover, is dependent on the steady flourishing of sociability, a circumstance in which discrete selves are both acknowledged as valuable in and of themselves and joined by bonds of friendship and love of country which are at the core of a shared identity. Finally, the continued guardianship of these three---civilization, individuality and sociability---requires a sympathetic recognition and acceptance of the completeness of the authority of the modern state, as well as a political education appropriate to nurturing and sustaining in rising generations of associates a patriot's appreciation, both heart-felt and reasoned, of the obligations of subjects in the everyday life of a people deserving of the enjoyment of liberty. As a political philosopher of liberal inclination, J.S. Mill had correctly intuited in the political life of the modern European world deep tensions in the competing claims to figurative "sovereignty" of the individual, the political powers that be, and society at large. But in the end, by seeking refuge in advanced liberalism's meliorist faith in progress, he had effectively abandoned his earlier more closely reasoned attempts to reconcile their differences. Mill's philosophical response, then, remained disappointingly on the surface of things. And already in some of his early papers Oakeshott can be seen struggling with the challenge of devising a philosophical account in which these ostensibly competing individual, political and social advocacies might be more satisfactorily reconciled.

Chapter III

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This ungainly kaleidoscope of certain features of the topography of modern British political history is my own, but it is intended to evoke the spirit of Michael Oakeshott's infinitely more nuanced coverage of some of the same ground,²⁰ his interest having already been aroused, as we have seen, by the time he began his prewar preparation of *The Social and Political Doctrines of Contemporary Europe*. In the years immediately following the appearance of that collection, his scholarly interests were set aside for the duration of World War Two, during which time Oakeshott served with the British Army. Robert Grant has astutely drawn our attention to the significance of Oakeshott's military experience in strengthening his convictions about the awesome and unprecedented capacity of the modern state to marshal resources and exercise power.²¹ Someone has said that political philosophy at its best is usually made up of a mixture of philosophy, history and polemic. And with an epochal war finally in the past tense, Oakeshott was to return to the pursuit of his abiding philosophical interests, already impressively on display in *Experience and Its Modes*, by preparing for publication his bravura edition of Hobbes' *Leviathan* in 1946. The immediate postwar years also marked the appearance of some of Oakeshott's most polemical writing, motivated in part by his obvious distaste for the programmatic, all-party drift of contemporary British politics towards the so-called "Welfare State" (most pronounced in that element in the Labour Party apparently set on final arrival at a sort of social and political New Jerusalem)²², and

²⁰ As in "Political Philosophy", Timothy Fuller (ed), *Michael Oakeshott: Religion, Politics and the Moral Life*, New Haven and London, 1993, pp.138-155. This title is entered hereafter as *RPML*. Here he distinguishes between reflection in the service of politics, or *policy*, from *political doctrine*, the purpose of which is not to determine political activity but to provide a sort of explanation of it. My "politics of programme" is extrapolated from what he says about ideological thought in "Political Education", *RP*, p. 51 *passim*.

²¹ See Robert Grant (op.cit.), pp. 16-17. In Grant's view, war convinced Oakeshott of the inadequacy of mere technical knowledge, and secondly, that military organization, necessarily directed to a single overriding goal, is the worst of all possible models for peacetime society. War made a deep impression on him, but "it was by no means an altogether romantic one."

²² "No socialist who saw it will forget the blissful dawn of July 1945", Michael Foot, himself a future Labour Party Prime Minister was later to suggest in his affectionate biography of that near mythological giant of the Labour left, Aneurin Bevan. See Michael Foot, *Aneurin Bevan, A Biography, Volume Two: 1945-1960*, London, 1973, p. 17. For a rather less flattering portrayal of Bevan than Foot's, see John Campbell, *Nye Bevan and the Mirage of British Socialism*, London, 1986.

by an insidious postwar preoccupation of assorted enthusiasts for educational reform with demoting liberal education in Great Britain and promoting in its place a trendy species of vocational training.²³ We also now know that in the immediate postwar years Oakeshott had turned anew to his interest in history, already in early evidence, along with his more general philosophical concerns, in the masterful chapter on “Historical Experience” in *Experience and Its Modes*.

Oakeshott had completed, apparently in 1952, a lengthy typescript concerned with the dialectical movement of modern European political thought, posthumously published as *The Politics of Faith and the Politics of Scepticism* in 1996.²⁴ For nearly five centuries, he suggests, the political vocabulary of modern Europe has been marked by an ambiguity resulting from its service to two masters, which he proposes to call the politics of faith and the politics of scepticism. At the extreme they are ideal, but in between, they have fostered the appearance of two historic styles of politics. In an ideal characterization of the “abstract extreme” of the politics of faith, the business of governing is nothing less than the perfection of mankind. Human power is deemed sufficient to procure such salvation, and the perfection in view is seen as a single, comprehensive condition of human circumstances. Governing is an unlimited activity and government is omniscient, if not necessarily omnipresent or absolute. Such a style of politics welcomes power rather than being embarrassed by it and government, in using power, will be viewed “as the representative of the society in an enterprise of communal self-assertion.” Now, in such circumstances, there will be less concern with the proper constitution and authorization of government than with seeing governing as a “godlike adventure” in which strict attention to formal procedural rules will be less important than pursuing *raison d’etat*. The present will be more important than the past and the future more important than either. The activity of governing in the politics of faith will require not only obedience but express approval and even love; conversely, dissent and disobedience will be punished as error and sin. The task of education will be to induce enthusiasm and the moral elevation of the office of government in accordance with which

²³ See, for instance, Michael Oakeshott, “Contemporary British Politics” *Cambridge Journal*, 1 (1947-48), pp. 689-97, and his “The Universities”, *Cambridge Journal* 2(1948-49), pp. 212-29, the same issue of which carried his first version of “The Tower of Babel”, subsequently republished in *RP*, 465-87.

²⁴ *PFPS* (op. cit.). Quoted matter in the remainder of this section is drawn from this source.

the politician and his associates will be regarded as at once the servants, the leaders and the saviours of society.

The roots of sceptical politics in the modern world, on the other hand, are traceable to an outlook of prudent diffidence which requires that the activity of governing be detached from the pursuit of perfection. The activity of governing is viewed as necessary rather than good, and its range of activity narrow. The first object of government is to sustain peace and order, the second to seek out improvements to the existing system of duties, rights and means of redress. Here, the activity of governing is but one of a complex of activities, superior to the whole only in respect of its guardianship of public order, and “moral approval and disapproval are no part of the office of government, which is not at all concerned with the souls of men.” It follows that the politics of scepticism display “a certain nervousness” about the exercise of power, and thus, a tendency to procedural formality, a respect for precedent, and a higher regard for institutional arrangements that diminish the damage done by ambitious men than those designed for the more efficient dispatch of business. Individual punishment will be viewed as preferable to prevention since it requires the exercise of less intrusive power, and consequently avoids “turning civil society into a badly managed classroom in which every lesson is preceded by a search for catapults, cribs and chess sets, a search which makes pupils and teachers equally miserable and anxious for the holidays.” In short, the activity of governing in a politics of scepticism is “manifestly nothing to be enthusiastic about.”

Oakeshott provides two illustrations of the manner in which the ambiguity of the political vocabulary of modern Europe have lent themselves to the purposes of both the politics of faith and the politics of scepticism. Take the famed Ciceronian expression: *salus populi suprema lex esto*. Now, the meaning of *salus* in classical Latin in fact ranges widely, from mere safety, to health, prosperity, abundance, welfare and salvation. For the Romans, *populus* was equivalent to *civitas* or *respublica*, and thus, the reading of *populi* as realm; but *populi* also acquired a different sense, not *populus* but *plebs*, and this opened the way to our commonplace contemporary meaning, the people. And again, *suprema* was in the classical context rendered sometimes as fundamental, and at others as overriding; *lex* would have been viewed by the audience to Cicero’s ancient utterance as implicitly a dictate of the *lex naturalis* rather than of statute, but his arresting remark was

often thereafter written about as if his *lex* meant *jus*. And so, a banner destined to attain prominence in the rhetorical engagements of myriad political causes in the modern world (not least the cause of democracy) could find favour among both adherents of the politics of faith and the politics of scepticism. Something similar, Oakeshott reflects, has befallen the word ‘right’. On one, more mundane side, rights are associated with the authority to enjoy certain treatment from others and to conduct oneself in a certain manner, joined with procedures for seeking redress or compensation; they are consequently regarded narrowly as legal rights. On the other side, rights are associated with the notion of natural or human rights; they are large rights said to be more moral and social than necessarily legal in connotation. And the distance between the two sides represents another evident ambiguity in our political vocabulary amenable to both the politics of faith and the politics of scepticism.

The rest of the book turns to a consideration of the broad fortunes of these contending advocacies in the political life and times of modern Europe over the course of the past four or five centuries. For present purposes, a detailed summary of this matter need not detain us, as we have fuller accounts of the same historical ground that Oakeshott would traverse, reconstituting and refining his overall conceptual apparatus, over the years to come. But there are several points worthy of passing attention before we take leave of this hitherto unknown work. The first of these, belonging to the still early pages of the book, is that Oakeshott leaves no doubt (unlike, say, Hannah Arendt or Bernard Crick or Lord Parekh or an assortment of “deliberative” democrats, republicans and so-called communitarians closer to us in time) that he holds no great expectations of politics save its vital contribution to the maintenance of peace and order:

Politics at any time are an unpleasing spectacle. The obscurity, the muddle, the excess, the compromise, the indelible appearance of dishonesty, the counterfeit piety, the moralism and the immorality, the corruption, the intrigue, the negligence, the meddlesomeness, the vanity, the self-deception...offend most of our rational and all our artistic sensibilities. For so far as political activity succeeds in modifying the reign of arbitrary violence in human affairs, there is clearly something to be said for it, and it may even be thought to be worth the cost. But, at the best of times, political activity seems to encourage many of the less agreeable traits in human character.

Yet he makes equally clear, late in the book, that there was a time, especially in British politics, dating roughly from the late seventeenth and early eighteenth centuries, when a mean between the two extremities of faith and skepticism seemed closer than at any other to realization. There momentarily appeared in view the concrete character of a complex manner of politics---at a time when “enthusiasm was not so much decried as put in its proper place.” Oakshott provides an exquisitely English image²⁵ to conjure up what was then, on an admittedly sympathetic appreciation, evidently afoot:

Faith had knocked up an impressive score, and its innings ended characteristically in hit-wicket. (The scorers, unaware of what had happened, went on chalking up the runs: faith, particularly in France, was believed to have ‘a splendid future behind it’.) In the situation, however, it looked as if scepticism would take a mighty revenge. But not at all; the contest was adjourned for tea. And in the conversation that ensued, the political principle of the mean in action made its appearance. Many voices were heard in this conversation, but among the more notable participants were Locke, Berkeley, Shaftesbury, Halifax, Boyle, St Evremond, Fontenelle and Hume, and there were wits (like de Mandeville) on the circumference who provided the comedy.

They did not compose a political party, or belong to a single nation, their conversation was less original than drawn from the thoughts of others who had gone before; nor was their conversation confined to politics but ranged over the entire field of human conduct.

Another point of interest in the remainder of Oakshott’s 1952 typescript is what he says there, however elliptically, about republicanism and democracy respectively. Now, the American constitution, in his view “the most profoundly skeptical constitution of the modern world”, is an achievement attributable to the foresight of the Founding Fathers in wishing not so much to eradicate outright the monarchical inheritance of the American colonists but to modify it by adapting a derivatively British institutional framework in such a manner as to forestall its potential degeneration into despotism. But it would be a mistake, in Oakshott’s judgement, to infer from this admirable sceptical prudence of the Founders that there is some sort of natural affinity between republicanism *per se* and the

²⁵ One recalls Norman Tebbit’s rule of thumb to the effect that “An Englishman is someone who understands the rules of cricket.” Of course, cricket is hardly an exclusively “English image” nowadays and might well be invoked, say, in a Pakistani, Indian, West Indian, South African or Australian context. But for Oakshott, the export of a game is an altogether less complex matter than blithe attempts similarly to transfer a manner of politics nowadays called “democracy”. And the limited but not insubstantial achievement of the British Empire in this regard was due to its having been a slow and costly method in which “the workmen travel[ed] with the tools.” See “Political Education”, *RP*, p. 55.

politics of scepticism. Indeed, Oakeshott asserts that “Of all the follies of the politics of scepticism, the strangest is that which appears in the history of modern republicanism.” The trouble is that even sceptical republicans end up subscribing to a believe that there are in principle infallible institutional means to divide, check and balance the power of government and set up a constitution “fixed irrevocably in the sceptical style.” But in Oakeshott’s way of thinking, this reflects a futile yearning for certainty which belongs properly to the politics of faith.²⁶ And he closes his book by reiterating his views on the irremediable ambiguity of our political vocabulary, which, like so much in the modern world, turns out to be something of a mixed blessing. There are dangers as well as practical benefits in it; political language provides a means of self-serving obfuscation but it is also a highly useful tool of mollification. Besides, awareness of the ambiguity of political language ought to help to deprive it of some of its power to confuse.

Democracy, for instance, is an inherently ambiguous word, in a strict sense signifying a manner of authorizing or constituting government, but more loosely, standing for “the activity of governing turned in a certain direction.” Confusion abounds because both the politics of faith and the politics of scepticism have been adroit at appropriating the word to foster their fortunes. If the manner of governing is faith, then popular institutions are celebrated solely with respect to the amount of power with which they are able to endow government; but in sceptical politics, popular institutions chiefly recommend themselves as a means to control government. In the politics of faith, democracy is preferable to monarchy because it delivers greater quantities of power; in skeptical politics is it deemed superior to monarchy because it provides a continuous control over government, and thus, the broader the franchise the broader the authority behind this control. Of course, the whole point of his book had been to suggest that the governments of the modern world represent a range of positions across a spectrum embracing two conceptual extremes. Oakeshott concludes that merely to defend or attack democracy is a pointless activity. Strictly, popular institutions have no intrinsic qualities but are amenable to the purposes of both the current styles of politics. He thus regards the question much mooted

²⁶ In Oakeshott’s later years and beyond theorizing republicanism became a rather vogue topic, traceable in large part perhaps to the considerable influence of Quentin Skinner and the so-called “Cambridge school” of historiography and political theory. James Tully (ed), *Meaning and Context: Quentin Skinner and His Critics*, Cambridge, Princeton, 1988 (see also footnote 57 below). Of interest here too is W.J. Coats Jr., *A Theory of Republican Character and Other Essays*, London, 1994, pp. 45-48, 63-77.

over the past century, of whether democratic institutions can be made to work, ill-considered; and what is really being considered, he suggests, “is whether ‘popular’ institutions can be prevented, in contemporary circumstances, from selling themselves entirely to the politics of faith.”

Chapter IV

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The chapters that make up another of Oakeshott's posthumously published works, *Morality and Politics in Modern Europe*²⁷, were originally delivered as lectures in April, 1958, some six years after the completion of the typescript of *The Politics of Faith and the Politics of Scepticism*. Their format provides readers with a conveniently succinct summary of an alternative general approach to the study of modern political life that represents a further installment of an ongoing project to which he repeatedly returned over the years. Oakeshott's persistent literary endeavouring in this attempt to get right the shape of the polarities of character in modern European thought, like the successive entries in an artist's sketch book, record in preliminary drafts what would find completed expression on the figurative canvas of his most considered depiction of the topic in Part III of *On Human Conduct* (1975), "On the Character of a Modern European State". He began these Harvard lectures by drawing the attention of his American audience to some distinctions to be borne in mind in any undertaking to appreciate what is involved in the "activity of governing". The most rudimentary of these entails the distinction between *the activity of ruling*, or government, and *political activity itself*, which is "an activity, not of governing, but of determining the manner and matter of government". And whenever the topic of "government" arises, these two separate sorts of concerns are brought into play: thought about what government actually is---"the constitution, composition and authorization of the governing authority"---*and* about what it does---"the engagements, pursuits and activities of the governing authority." He insists on the importance of thus differentiating the constitution and the office of government not only because they are "independent of one another" but also because their relative importance has varied considerably at different times and in different circumstances.

Oakeshott's claim is that political activity in European in origin but that it is now found elsewhere in the world, and that, at least in the "intensity" in which it now exists, it is "a comparatively modern invention." In mediaeval Europe, for instance, interest was directed mainly to questions about the authorization of ruling authorities, and this

²⁷ *MPME* (op.cit.). Quoted matter in the remainder of this section is drawn from this source.

predilection entailed a notion of governing in which activity was limited for the most part to the provision of peace and order and to guarding the laws and customs of the community. As Oakeshott observes, there was a good practical reason for this: “the main circumstance that prevented the activity of governing’s being, or being thought proper to be, an activity of enterprise was not any abstract principle, but the conspicuous lack of power to be enterprising.” This situation continued well into early modernity; but gradually, roughly over the past four hundred years, the power at the disposal of modern governments has grown so much that it is now immense. And this has encouraged the appearance of a different center of gravity for political reflections. Preoccupation with the office of government has now become pre-eminent, and the earlier prominence of the constitution and authorization of government has been relegated to a subordinate position. What is surprising, Oakeshott suggests, is that what had been tantamount to a sea change in our habitual manner of perceiving the activity of governing has for the most part remained unobserved, and he offers several possible reasons for this perceptual nonchalance. First, while respect for the authorization and proper constitution of governments has remained strong, it is now routinely proffered for the wrong reason: the prestige of the governing authority has come to be seen as derived from its power to act. “Authorization”, he notes, “[now] mattered more because power and activity had increased.” And he adds, pointedly:

The case for that sort of constitution and authorization of government we call ‘democracy’ has been argued, whether or not correctly, very largely on the observation of the power at the disposal of modern governments; where it was not argued that a democratic constitution would increase the power of government, it was argued that it is intolerable that governments disposing of such immense power should not be democratically constituted.

Second, in the epochal struggles for political ascendancy pitting royalty against new aristocratic claims in the early modern world, constitutional issues were rhetorically at center stage, and this fostered a misleading but highly influential belief that the pursuits of government derive from the constitutions of government. For a long time thereafter constitutions retained a “fictitious pre-eminence” even though the main concern all along had been with the activities of governments “disguised as a concern with the constitutions of governments.” And third, this shift of emphasis has tended to remain concealed from

us because the political vocabulary of modern Europe, inherited from a mediaeval past in which it had been elaborated largely in relation to questions concerning constitutions and authorizations of government, is still substantially the same vocabulary but it is now used to articulate concerns centered upon the activity of governments. “This transposition is often hidden from us because the earlier usage remains unrevoked in our minds.” It is worth quoting the example that Oakeshott again chooses, somewhat reprovably, to illustrate his point:

For example, the word ‘democracy’ stood originally for a government constituted and authorized in a certain manner, but has now commonly come to be used to indicate a government active in a certain manner; and similarly the word ‘freedom’, which stood for a condition of human circumstance recognized to be the concomitant of government authorized in a certain manner (Rousseau, for instance, contrasts ‘free’ with ‘monarchical’ governments), now commonly refers to a condition of human circumstance springing from what a government has or has not done.

In commonplace contemporary notions of the activity of governing, then, its two quite distinct components, the activity of ruling, and political activity, have erroneously come to be seen as effectively interchangeable, and this has fostered a ruinous transposition in which power is widely regarded as tantamount to authority itself.

In his remaining lectures, Oakeshott turned to the topic of morality and government in modern Europe and to attempting a preliminary sketch of what he termed the “character” of modern politics. He proposed that we accept that there have been three more or less mutually opposed moralities current in European societies during the modern period. Each reflective person, he guesses, “has felt the pull of each of these moralities”, since modern European moral character is “a composite character prey to many internal stresses.” He labelled the first and oldest of these moralities, another instance of our cultural inheritance from the mediaeval world, *the morality of communal ties*. But this morality was modified and eventually superseded in the modern era by *the morality of individuality*, which in turn provoked *the morality of collectivism*. Oakeshott went on to offer a rather pithy retracing of the lineage of the political theory of individuality, from Locke through Kant, Adam Smith, Burke and Bentham, to J.S. Mill. He concluded this review by suggesting that what these writers were concerned with was “the elucidation of a view of the office of government appropriate to certain circumstances”---the chief of

which was an acquired disposition displayed in “the appearance of subjects who desire to make choices for themselves, who find happiness in doing so and who are frustrated in having choices imposed upon them.”

Finally, he turned to the task of providing a brief overview of the political theory of collectivism. The circumstance congenial to the appearance of this disposition involved subjects distressed by the collapse of the mediaeval communal order but who were unable or unwilling to embrace the new political theory of individualism. What was sought was a perfectionist morality which recognized “a ‘common good’ or a ‘communal good’, to which my activity and that of all others is subordinated, and to an understanding of government as the custodian and promoter of this ‘common good’.” This political theory of collectivism has manifested itself in three versions. In its religious idiom, its aim is righteousness or moral virtue, in its productivist rendering, a condition of prosperity or abundance is the goal; and in its distributionist depiction, security or welfare take pride of place. Oakeshott then set out an account of the contributions to these various versions of collectivism of Calvin, the *philosophes*, Francis Bacon, Robert Owen, St. Simon and Marx, closing his lectures with some sharp remarks about the insidious preoccupation with “security” that “the so-called ‘welfare state’ puts before any other consideration.”

Up to now we have set to one side Oakeshott’s concise but equally suggestive outline of the “character” of modern politics. In pursuit of this, he revisited the famous discussion of the political regimes of mid-eighteenth century European government provided by Montesquieu’s classic, *De L’Esprit des Lois*. Now, in Oakeshott’s judgement, the salient characteristics of the new political conditions that presented themselves for Montesquieu’s scrutiny were several in number. The activity of governing had by then become generally recognized as a “sovereign” activity. And governments were in the enjoyment of powers so much greater than at any earlier time that this gave a new quality to government. At the same time, there had made their appearance on the political scene subjects disposed to choose for themselves what they did and believed. On the other hand, these new subjects were accompanied by others who, despite wide opportunity, were indisposed or unable to make such choices for themselves. It was on the basis of these circumstances, Oakeshott surmises, that Montesquieu set out to

elaborate three ideal models aimed at depicting the various dispositions of what was as yet only a partly revealed character. His genius, in Oakshott's estimation, consisted in a dogged determination to go beyond the mere formal composition of government associated with his models, in order to investigate the principle or "spirit" of their respective regimes. Montesquieu wanted to examine not only the constitution and authorization of government of his models, but as well, the activities of government in despotism, monarchy and aristocratic republicanism, and democracy---and to show how these were related to the character of their subjects. For, as Oakshott adds, each of these differing manners of governing "discloses itself in a characteristic attitude towards law and the administration of justice, towards liberty, towards the dispositions and conditions of life of its subjects, and towards their political education."

The principle of despotism is fear. The despot rules in his own interest and the activity of governing is understood to be an activity of exploitation in which there will be few if any rules, and no courts of law. Offences will be regarded as offences against the despot himself or his agents, and severely punished. The activity of subjects, because life is uncertain, is unenterprising but marked by both indolence and excess; their condition is one of servitude and a shared equality of insecurity. Under despotism there will be little room for friendship or trust, and the object of political education will be to foster servility and blind obedience to the despot. Interestingly, in a novel representation of Montesquieu's second model, Oakshott takes the liberty of treating as one monarchy and aristocratic republicanism, even though they are separated in the original text. He explains that he has done so because, while it is true that Montesquieu regarded them as differently constituted, he also made clear that they are quite similar in the manner in which they are disposed to be active, sharing, in Oakshott's terms, a single understanding of the office of government. The principle of this regime is honour. Here is association in which government does not exploit but simply rules, by means of laws which are few, precise, and administered in independent courts. By and large, offences are regarded as not against the society but against other subjects, whose condition is one of freedom and equality of status. Since

the activities of these subjects of monarchy spring from individual choice, they are multifarious. Social intercourse is free, and the object of political education is to inculcate the virtues of honour and moderation fitting for membership in such an association.

The principle of the third model, democracy, is virtue, in the sense of care for the public or common good. Here we are in the presence, not of association but of a genuine community. Governing is neither exploitation nor mere ruling, but an activity of leadership, as in the management of the affairs of a concern. Laws in this regime are wide-ranging, and they tend not to distinguish between crime and sin. *Salus populi* is the supreme law informing all laws, even, where necessary, overriding the administration of particular laws. The judicial apparatus will display the traits of “peoples’ courts” concerned not so much with the letter of the law as with seeing that the common good is upheld. Offences will be recognized as against the community but there will be a tendency to believe that prevention is better than punishment. Private law relationships will be small in number. In the democratic model, subjects enjoy equality, meaning each is alike a servant of the community and has a right to an equal share of the products of communal activity. The activities of these subjects spring not primarily from individual choice but from a shared desire to serve the common good as deemed fit by the government. Here individuality arouses suspicion, there is a common mediocrity of ability and fortune, and the object of political education is to inculcate subservience to the common good and acquiescent conduct which has love of the republic as its motive.

In thus adumbrating his three hypothetical models, Montesquieu, as Oakeshott represents his case, undertakes to display the range of dispositions that make up the modern European character in respect of the pursuits and engagements of government. The actual regimes of modern Europe do not approximate to one of these dispositions to the exclusion of the others, but instead contain all three, with a tendency for one of them to become more pronounced than the others, though in European circumstances in his day Montesquieu thought that despotism was the weakest, almost falling outside the capabilities of the modern European character.

Now, of the other two, monarchy or aristocratic republicanism and democracy, each was capable of being good or bad of its kind. If monarchy has a tendency to degenerate into despotism, democracy has a tendency to generate into a sort of monarchy which springs from distrust of the constituted rulers “and the desire of every man to have his finger in government.” Despotism, in Montesquieu’s view, sets in whenever a regime abandons its principle---when monarchy deserts honour and when in democracy equality becomes “either extinct or extreme.” Otherwise, given appropriate circumstances---of geographical situation, size, history, and the religion and principal occupations of the subjects---either of the two, monarchy and democracy, may be viable and apt regimes.

Now, Oakeshott reminds his audience that Montesquieu was also disposed to draw a second conclusion from his enquiry. Following Aristotle, who had argued that the best must entail a mean between extremes, Montesquieu was of the opinion that monarchy was the best of the dispositions available to the modern European political character because it represented a mean between despotism and democracy. What is of interest for present purposes is that Oakeshott goes on to extrapolate from this a conclusion aimed at tying his discussion of the character of modern politics more firmly to his related concern with the topic of morality and government in modern Europe. He proposes that Montesquieu’s “monarchy” and “democracy” be regarded from our own vantage point as reflecting the two obliquely opposed dispositions of his own characterization of the “individual” and the “anti-individual” respectively. In the modified version of Montesquieu’s perspective now proposed by Oakeshott, the manner of governing in modern Europe is depicted as representing a range between two extremes that are in a constant dispositional struggle for ascendancy, “‘monarchy’ being the manner of governing appropriate to ‘individuality’ and ‘democracy’ to ‘anti-individuality’.”

Chapter V

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By the middle years of his lifetime Oakeshott was reputed to have written relatively little; but as we now know, having published his splendid edition of Hobbes' *Leviathan* in 1946²⁸, in the years that passed between then and the early sixties he composed two book-length studies reviewed above, a number of essays on a variety of loosely interrelated themes, some of which reappeared in *Rationalism in Politics* (1962), and more than four dozen book reviews. These were, of course, momentous times in the domestic and international political marketplace of ideas. In market terms, the established western political societies were now fully market weight in Liberal Democracy, which, at least in the mainstream beyond American shores, also traded in those years as a rather reddish blue chip known by its unctuously reassuring corporate logo, the Welfare State. But fashionable contrarian voices in the postwar academy were inclined to short Liberal Democracy, plumping instead for what they deemed the excellent prospects as a growth stock of an assortment of "Soviet Republics" and "Peoples' Democracies" sprouting in Eastern Europe and the so-called developing world.

Now, for Oakeshott, certain societies, by dint of chance, circumstance and resourcefulness more than conscious design, have displayed greater success than others---historically, the Romans and Normans for instance²⁹--- in the activity of governing and being governed. In his view, cultivation of the manners and institutions amenable to the flourishing of freedom is far from being a universal phenomenon, even in the complex history of modern Europe, let alone the world beyond. "Freedom", as Oakeshott once put it, "like a recipe for game pie, is not a bright idea." For him, the freedom of an Englishman is not an ideal that has been premeditated independently of political experience, rather "it is what is already

²⁸ With characteristic modesty, he playfully remarked when reissuing the well-known "Introduction" to *Leviathan* in a collection of Hobbes papers published in the same year as *On Human Conduct*, that it had retained "a certain meretricious buoyancy". Michael Oakeshott, *Hobbes on Civil Association*, Oxford, 1975.

²⁹ Michael Oakeshott, "The Rule of Law", in his *On History and Other Essays*, Oxford, 1983, p. 164. Further references to this source entered as *OH*.

intimated in that experience.”³⁰ And even a casual browse through Oakeshott’s writings cannot fail to induce in the reader a strong impression that, for all his evident impatience with certain aspects of the contemporary world, he has been inducted into the company of a thoroughly English patriot.

Overall, indeed, there is no escape from the conclusion that, in the very texture of his prose and thought, Oakeshott reveals himself as the most English of political philosophers, a feature of his achievement which perhaps accounts for the difficulties one encounters in attempting to transliterate his meaning, and for the rather belated spread of his reputation (in comparison, say, to F.A. Hayek) beyond British shores. In a brief appreciation of his late LSE colleague Reginald Bassett (unlike himself, a longstanding party man), Oakeshott provided what was a manifestly sympathetic accounting of Bassett’s belief that British parliamentary democracy was a noble and historic manner of conducting politics. Bassett’s belief did not require, he sardonically assures us, any presumption that the British Constitution had descended from heaven or that it was otherwise perfect, “but he did believe it to afford a method of dealing with differences which had emerged in the contingencies of human choices, which was both tough and responsive to change, and which possessed pre-eminent practical virtues.” Like Bassett, Oakeshott esteemed what he preferred to call British parliamentary government, “not as an approximation to some ‘ideally’ democratic system of government, but an instrument of remarkable refinement and responsiveness, thrown up in the course of our political history, [and] capable of digesting the enterprises of zealots.”³¹

At the same time, in the circumstances of the postwar world, Oakeshott tended to regard the British and the Americans as figurative family members sharing a common inheritance, and it was perhaps a discriminating historical remembrance of the common origins of their ultimately divergent paths that had led him to an interpretative joining together of “Monarchy” and “Aristocratic Republicanism”

³⁰ Michael Oakeshott, “Political Education” *RP*, p.54.

³¹ Michael Oakeshott, Introduction of Second Edition of Reginald Bassett, *The Essentials of Parliamentary Democracy*, London, 1964, pp. xxi-xxiv.

in his 1958 Harvard lectures³², contrasting the two with “Democracy” in his reading of the character of Montesquieu’s ideal models of modern European regimes. On occasion, what he regarded as a particularly egregious American foible might elicit from him a mild scolding---the tendency, for instance, to miss historical nuance and to swallow whole the unreflective notion that practice derives from theory, which he described as “the shortened American way of thinking in which a manner of conducting affairs is inconceivable without an architect and without a premeditated ‘dedication to a proposition’.”³³

But whatever their differences, the American and the British were societies sharing in the enjoyment of the blessings of what he once called “The Political Economy of Freedom”, societies whose history has been indelibly marked by “old-fashioned liberal” traditions and in which, in consequence, the practice of politics was notable for the absence from it of overwhelming concentrations of power. Under such conditions, authority was diffused between past, present and future, influence was dispersed among the multitude of interests and organizations comprising society, the conduct of government was a shared affair involving both administration and opposition, the rule of law secured freedom of association for all, as well as private property rights and freedom of speech. Monopoly and near monopoly were contained by an approach to political economy in which restraint

³² It might also have inspired his elliptical observation in “On Being Conservative” *RP*, p. 434, that “Political conservatism is...not at all unintelligible in a people disposed to be adventurous and enterprising, a people in love with change and apt to rationalize their affections in terms of ‘progress’.”

³³ Michael Oakeshott, “The Customer is Never Wrong”, in *RPML*, pp.111-118. It would be a mistake to regard Oakeshott as an insufferable Colonel Blimp happy in a condescending belief that the only superior features of American civilization are attempts to copy British originals. He clearly held the achievement of the Englishmen who first came to America’s New World shores in high regard. They had no choice but to try to make appropriate responses to the novel circumstances in which they found themselves and did so by applying native ingenuity and adaptability as well as their inheritance of British civilization to the prodigious task at hand. Continuity and innovation yielded a New World civilization now less tied to its British inheritance but neither inferior nor superior to its overseas original. “Humph”, mutters Colonel Blimp: “take cricket. It was too damned sophisticated a game to take hold in the Colonies, and that is why the American game of baseball derives not from cricket but that most simple-minded of English schoolboy games, rounders...” But only Blimp could fail to appreciate that in its devotion to traditions, its intricate balletic athleticism, the simplicity of its aesthetics, its sheer statistical wondrousness, baseball stands in an equality of status as a microcosm of the American way just as cricket does the British. Blimp has also been known to go on about the inferiority of what the Americans like to call “football” to English “soccer”, but his interminable nattering (and that of his Yankee Doodle opposite) does not appear to have placed in serious jeopardy the feelings of deep affection and mutual regard in which most Britons and Americans, including Michael Oakeshott, have held one another.

of trade was regarded as a major crime, where the burden of proof always lay with those who would transfer to the public domain undertakings otherwise subject to the rectifying circumstances of competition, where economic policy held firmly in view the value of a stable currency, and where, since these societies did not spring up overnight but already possessed a character along with a respectful regard for the inevitability of human fallibility, when any matter thought to require change arose, it would as a matter of course invoke familiar principles of continuity and prudential consensus in preference to the pursuit of any preconceived purpose.³⁴ In Oakeshott's way of approaching the logic of political activity as "the pursuit of intimations", in the political economy of freedom adjustments or reforms were deemed appropriate only when their apparent necessity had already begun to manifest itself in the ever-changing goings-on of society.

Now, what is striking about Oakeshott's synoptic rehearsal of these premises of the political economy of freedom is the marked absence from it of any direct reference to democracy. Indeed, in a broadside in the later pages of that essay clearly aimed at the direction of British politics in the immediate postwar years, he protested at the manner in which "With eyes focused upon distant horizons and minds clouded with foreign clap-trap, the impatient and sophisticated generation now in the saddle has dissolved its partnership with its past and is careful of everything except its liberty."³⁵ Of the dreary managerial character of postwar political life³⁶ in Britain he was on occasion tempted to conclude that a more magnanimous politics that took seriously matters of fundamental importance, say,

³⁴ Michael Oakeshott, "The Political Economy of Freedom", *RP*, pp. 384-406. Controversially perhaps, Oakeshott is of the view (fifteen years before the 1964 Berkeley launching of the so-called "free speech movement" and all that followed, serious and absurd, the latter including Kenneth Tynan's demonstration of false bravery masking as self-promotion in uttering the "f word" over the BBC) that we tend currently to exaggerate the importance of free speech, which, while certainly a significant form of liberty, is not nearly as essential as freedom of association and private property rights. "The major part of mankind has nothing to say; the lives of most men do not revolve around a felt necessity to speak." (391) But for Oakeshott free speech is at least a *bone fide* freedom, unlike some others more suppositious rights, such as 'freedom from want'.

³⁵ *Ibid*, p. 397.

³⁶ An exhaustive account of the course of British politics in the nineteenth and twentieth centuries of direct relevance as background to period covered by this paper is W.H. Greenleaf's *The British Political Tradition*, London, Volume 1, *The Rise of Collectivism* (1983), Volume Two, *The Ideological Heritage*, London (1983), Volume 3, *A Much-Governed Nation*, London (1987). In a General Preface to this impressive scholarly achievement, Greenleaf acknowledged his intellectual obligations in particular to the works of Spencer, Dicey and Halevy and, "at a quite different level, of Michael Oakeshott." (xiii)

the right to life, liberty and happiness (its problematic philosophical status notwithstanding) had been altogether dislodged by mawkish, all-party concern over such mundane matters as the right, say, of a pregnant mom to a glass of orange juice. If Lord Stockton was in later years moved to enter a vigorous dissent in the House of Lords over the efforts of those who by then were prepared to undertake to set right the deep distortions of the British way of life brought on by a generation of postwar politicians only too willing to abandon the political economy of freedom, in a previous incarnation as Harold Macmillan he had amassed his fair share of responsibility for selling the family silver.

The postwar erosion of liberal education only made a bad situation worse.³⁷ By diminishing our regard for the importance of historical understanding, it had tended to encourage the ignorant, the gullible, and the ambitious alike in a spurious but self-satisfied and widely retailed belief that the flourishing of liberty was virtually synonymous with what was, after all, the still only very recent ascendancy of democracy. So the conspicuous absence of democracy from Oakeshott's discussion of the political economy of freedom ought perhaps to remind us of his submission elsewhere that there is not reason why liberty and individuality ought not to thrive at least as well in a monarchy or aristocratic republic as in a democracy, provided each were instances of Montesquieu's good types of these respective regimes. Of the two, indeed, it was his view that it was democracy, with its enormous command of power, that actually posed the greater immediate threat. The danger of disregarding the resources of the historical past is that by removing from our general store of knowledge what might be regarded as acceptable alternatives or suitable modifications to democracy, we are liable to be left bereft of concrete criteria for distinguishing good democracy from bad, and what is more, devoid of the wherewithal with which to halt, in an ostensibly good democracy, an unthinking tendency to drift to collectivism---problems of which, with the ascendancy of the unquestioned moral prestige and political authority of

³⁷ See Timothy Fuller (ed), *The Voice of Liberal Learning: Michael Oakeshott on Education*, New Haven and London, 1989.

“democracy” in the everyday life of the postwar world, Oakeshott was acutely aware.

Oakeshott makes the acute observation that “the real spring of collectivism is not a love of liberty, but war. The anticipation of war is the great incentive, and the conduct of war is the great collectivizing process.”³⁸ Now, the invocation of the moral authority of “democracy” in the political rhetoric of the early decades following the Second World War was found in two spheres, the domestic life of the western societies, and, during the protracted years of Cold War, the so-called democracies of the Soviet Union and China. In “The Masses in Representative Democracy”, Oakeshott undertook a fuller delineation than that provided in the Harvard lectures of the threat of collectivism within the liberal democracies themselves posed by the rise of “the mass man”. Here, while holding fast to his belief that a disposition to embrace human individuality is the more substantial part of the character of moral and political life in modern Europe, he emphasized that the achievement of that character carried with it the shadow of an antipathetic disposition, which he terms “the individual *manqué*.” (a figure who would make another curtain call in *On Human Conduct*). The individual, for his part, saw that what was appropriate to his purposes was a manner of governing and being governed capable of transforming the interests of individuality into rights and duties. The steady pursuit of that condition culminated in the parliamentary governments of the late eighteenth and early nineteenth centuries, long since passed on as an inheritance that we have come to speak of loosely as “modern representative democracy” wherein the proper office of government consists in the maintenance on behalf of associates of arrangements favourable to the interests of individuality.

The individual *manqué* was the product of the same subsidence of communal ties as the individual, but being less sure than him and seeing in the availability of individuality as much a burden as an opportunity, sought refuge from it instead in a protector, the government. His initial trepidation turned to outright despair when a veritable moral revolution began to take hold that swept aside the remaining

³⁸ Ibid, p. 400.

relics of the old communal morality and left little room for any alternative to the morality of individuality itself. And it was at this juncture, as Oakeshott speculates, that from the individual *manqué* there first sprang a more militant version of the same *persona*, “the anti-individual”, who recognized himself as “the mass man”, “disposed to assimilate the world to his own character by deposing the individual and destroying his moral prestige.” This anti-individual had comrades rather than associates or friends, feelings rather than thoughts, impulses rather than opinions; and because he had inabilities rather than passions and was only dimly aware of his power, he required a leader who could tell him what to think. “Indeed”, says Oakeshott, “from one point of view ‘the masses’ must be regarded as the invention of their leaders.” Now, as it happens, there was already around a character ready and willing to occupy this office---none other than that frustrated antihero, the individual *manqué*, who was “enough of an individual to seek a personal satisfaction in the exercise of individuality, but too little to seek it anywhere but in commanding others.”

The emergent morality of the anti-individual, Oakeshott continued, was a morality not of liberty and self-determination but of equality and solidarity, its nucleus the notion of a substantive condition of human circumstance represented by the common good and love of the community. And for the anti-individual the corresponding view of the proper office of government was one in which the leader was recognized, not as the referee of the collisions of individuals, but the moral leader and managing director of “the community”. The “rights” demanded by the anti-individual were rights that entailed the abolition of the rights appropriate to individuality. In response to the long recognized individual right to *pursue* happiness through ones own choices, he countered with the anti-individual’s asserted “right”, created and overseen by government, to *enjoy* happiness. And Oakeshott went on to identify some of the great enterprises of “popular government” lately taken up on behalf of the aspirations of “the mass man”, projects alike aimed at a far-reaching modification of parliamentary government so that it might better impose upon all activities the substantive pattern of activity communally regarded as “the public good”. One of these

enterprises was the establishment of universal adult suffrage, another, diverse stratagems to transform parliamentary representatives into mere delegates, a third, the introduction of the *plebiscite*. In what was in other respects surely one of Oakshott's bleakest pieces, a sort of morality tale, he nonetheless managed to conclude---and we should recollect as a possible mitigating circumstance that the paper was written for a European audience outside Britain at the outset of the 1960s---on a somewhat brighter note. As he put it, an exploration of the nuance of modern European political life in terms of the deep-seated heuristic tension between the moralities of the individual and the ant-individual, marked by two contrasting notions of the office of government and two differing interpretations of the institutions of government derived from them, might help us to come to grips with a complex situation. But beyond that, he assured the reader, there was no evidence that the morality of individuality and its implications for government had ever been decisively routed on the field of doctrinal battle, nor that we now actually live in a world in which the "anti-individual" known to us collectively as "the mass man" has attained a position of undisputed sovereignty.

Oakshott's pointed and apparently harsh allusion here to the establishment of universal adult suffrage as a pet project of "the mass man" (and his seemingly disparaging reference elsewhere to "Votes for Women")³⁹ requires comment. In the first place, it was his view that neither universal adult suffrage nor the notion of representatives as delegates had been directly intimated in the actual historical practice of parliamentary government, which, generally-speaking, had done the job of keeping the peace and protecting private liberties for centuries before their arrival on the "democratic" political scene. But he also had in mind something else, and to grasp what he was after, we must return to the broader context of his appreciation of the activity of governing we examined earlier. His underlying point I believe was to urge the practical necessity on the part of friends of liberty always to keep the conceptual boundaries of the constitution of government and its authorization clear from those of the office of government. Practically-speaking, they will perhaps inevitably overlap, but any overlap in the political life

³⁹ Cf. his "Rationalism in Politics", *RP*, pp. 4-42 (11).

of a free society needs for good reason to be kept to a minimum. For Oakeshott, whether everyone has the vote or not is beside the point, a matter of what Walter Bagehot called the “dignified” or formal part of the constitution. What concerned him was a suspicion that the real motive of “the mass man”, and the “individual manqué” who urged him on was to deploy universal adult suffrage as a sort of battering ram in the service of steadily increasing the power to act of the office of government. For Oakeshott, universal adult suffrage from the standpoint of “the mass man” and the “individual manqué” is tantamount to a ruse to legitimate “popular sovereignty”. It enhances the fortunes of an activist style of politics amenable to all sorts enterprises that threaten liberty in the name of enhancing collective security.

If Oakeshott had an ulterior motive in “The Masses in European Democracy”, which was to warn those prepared to listen about what the full triumph of the bad type of democracy might entail for the future of European freedom, in another of his occasional pieces from this period, “Political Laws and Captive Audiences”, he turned to a different though related subject, the blatant abuse of the ostensible trappings of democracy on display in the Soviet Union and elsewhere at the time. We earlier saw how Oakeshott, in the prewar period, had tended to look upon communism as a doctrinal adaptation of elements of liberal democracy, and in particular, of its invention of “the plausible ethics of productivity”. And here he appeared to combine that insight with what he had since had to say about the anti-individual and his counterpart, “the mass man”. Now, as we have also already seen, it was his conviction that to a disconcerting extent, the time-honoured appreciation of the art of governing as one in which, in the individualist perspective, political activity was premised on making appropriate responses to “emergent political situations”, had substantially given way to a new style of politics underpinned with “anti-individualist” assumptions favourable to a view of governing as the mobilization of the entire resource of the community in the cause of bringing to pass the ends of a premeditated “public good”. And this, in the circumstances of mass society, has had the unfortunate result of reducing the

perceived efficacy of genuine political activity and increased the value of techniques of mass persuasion.

Moreover, the insidious influence of rationalism in modern life meant that the inexperienced mass man in particular had become inured to look to his erstwhile political leaders for “proofs” of the correct or incorrect way to go about getting things done. Reliance on figurative proofs, of course, is a very old trick in political rhetoric, but the great significance of Marxism for the mass man was its claim to have provided for its “proofs” the bogus notion of scientific “laws” of human behaviour and social change. Oakeshott insisted that the immense power of a regime like the Soviet Union to manipulate and to render captive its audience rested substantially upon the deployment of a simplistic “crib” composed for “the instruction of a less politically educated class than any other that has ever come to have the illusion of exercising political power.” Oakeshott’s point appears to be that, so long as such an anti-individualist audience believed in the so-called “laws” of social change, the politician had in his hands a seemingly infallible rhetorical “proof” with which to defend his leadership, and what is more, to relieve him personally of any responsibility of his actions or recommendations. And, as the sordid political history of twentieth century dictatorship reminds us, when such an audience began to question the “proof” (as he wrote, the Hungarian uprising was historically close to hand, with Czechoslovakia still to come), it was already too late. As Oakeshott cryptically concluded:

if the audience begins to be skeptical, or if the “laws” of social change seem to be an inadequate or misleading guide on certain important occasions, then, what is interesting to observe are the occasions on which such a politician amends the book, revises the laws, or adds to the vocabulary, when he improves a little on what he has read there, and the great occasions when he shuts the book.⁴⁰

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For Oakeshott, there are no “foundations” to modern political thought, but instead, a passing parade of casuistical moralists and lawyers engaged in an enterprise of “persuasive and often unscrupulous argument”, in which “nothing

⁴⁰ Michael Oakeshott, “Political Laws and Captive Audiences”, in George Urban (ed), *Talking to Eastern Europe*, London, 1964, pp. 291-301.

disappeared beyond recall and nothing was established beyond peradventure". As he says in one place, the history of European political thought has largely boiled down to "Jaw, jaw, interrupted by such episodes as the French invasions of northern Europe, the Massacre of St. Bartholemew and the Schmalkaldic war."⁴¹ Oakeshott never allowed the ambiguities of all this "jaw, jaw", intermittently interrupted as in his own lifetime by war, to dissuade him from pursuing to the end of his days the challenge of coming to grips with its character. The fullest rendition which he has left us of this quest, connecting in three separate essays his abiding interests in philosophy, political theory and history, which he confessed had been with him for "nearly as long as I can remember", is to be found in *On Human Conduct* (1975). Part Three of this work carried forward and modified in a considerably expanded version the themes he had been concerned to explore in *The Politics of Faith and the Politics of Scepticism* and *Morality and Politics in Modern Europe*. So far from having abandoned these efforts in their entirety, he had instead absorbed their ambiance while largely jettisoning their detailed frame of reference; and here, as in these other earlier undertakings, Oakeshott was concerned to present an account featuring two contending notions of the character of a modern European state---one, the notion of civil association or association in terms of *societas* wherein ruling is seen, not as an unconditional engagement but as he exercise of authority in accordance with which the rule of law "bakes no bread"⁴², the other, the notion of association in terms of *universitas* or enterprise association, an engagement to pursue a common substantive purpose. "A state", as he was now disposed to characterize his evidence, "may perhaps be understood as an unresolved tension between the two irreconcilable dispositions represented by the words *societas* and *universitas*."⁴³

And for present purposes what is interesting in this, his fullest rendering of this longstanding interest in the character of the modern European state, is that once again democracy is clearly discernible in the background. Some misled souls, he

⁴¹ Michael Oakeshott, "The Foundations of Modern Political Thought", *The Historical Journal*, 23, 2 (1980), pp. 449-453.

⁴² *OH*, p. 164.

⁴³ *OHC*, pp. 200-01.

is led to comment at one point, have thought that democracy must be regarded as a necessary feature of the civil condition, while others, like Mill, have not known whether or not to include it; but what he was after instead, he assures us, was the philosophical pursuit of something above and beyond democracy. And here as elsewhere, he protests that while “democracy” must properly signify a manner of constituting a government and of authorizing it to rule, the term had continued misleadingly to be used to signify “particular acts of policies of a government or even certain kinds of private relationships and certain motives for acting.” But this, as he had now long believed, had only encouraged the characteristic political subterfuges of our time:

confident of the approval evoked when ‘democracy’ is used in its proper constitutional meaning, the word is made to qualify a performance or a policy with the [expectation] of evoking the same approval...many would think (incorrectly) that they had said something significant if they said that non-contributory old-age pensions, or legal aid for the poor, or compulsory ‘comprehensive’ education was ‘democratic.’⁴⁴

Oakeshott is clear that civil association and enterprise association are ideal characterizations of a state and the office of government and that, as in his earlier attempts to describe the dispositions of thought that reveal themselves in modern European history, neither is to be thought separable from the other; they are instead conceptually joined on a continuum weighted in one direction or the other in any given circumstance. But that has not deterred doctrinal travellers from seeking a final resting place in one or the other of them:

Travellers have not always been scrupulous in reporting where their intellectual journeys have led them...And the confusion has been increased by jokers of both persuasions who, in deference to the vulgar, have altered the signposts to read: Right, Left; Reaction, Progress; Stagnation, Development Poverty, Affluence; Conservative, Liberal; Cul-de-Sac, Open Country; Liberty, Security; Authority, Liberty; Conflict, Peace; Competition, Co-operation; Unconcern, Responsibility; Indifference, Compassion; Apathy, Brotherly Love; Hell, Heaven or Heaven, Hell, etc. And even totally irrelevant designations have been posted, such as: Democracy, Authoritarianism, Capitalism, Bureaucracy, Pluralism, Centralism, etc. And before now a whole generation of would-

⁴⁴ Ibid, pp. 181, 193.

be travelers has awakened to find that one of these jokers has posted both the paths with the same inviting sign: Freedom, Jerusalem, or Cockaigne.⁴⁵

Like Schopenhauer's colony of porcupines, huddled together in communal warmth on a cold winter's day only to have to draw away from the pricks of each other's quills, and who, as Oakeshott elsewhere suggests⁴⁶ unknowingly invented civil association, the predicament of associates in the goings-on of a modern state is that there can be no final resolution of their plight in political activity directed at the achievement of a unipolar regime of liberty. The adventure that is afoot is more a matter of Box and Cox in which liberty requires authority. And it is worth noting that Michael Oakeshott should choose to close the last book published in his lifetime, in the course of his eighty-fourth year, with a recreated essay on the theme of "The Tower of Babel"⁴⁷ that is by turns funny and mordant, a barely concealed parody of those who would dwell in Elysian fields of "democracy" believed to be nothing other than enterprise association.

⁴⁵ Ibid, p. 318.

⁴⁶ Michael Oakeshott, "Talking Politics", *National Review*, December 5, 1975, reprinted in *RP*, pp. 438-61 (461)

⁴⁷ *OH*, pp. 165-94.

Chapter VI

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This paper bears out in spades Michael Oakeshott's *aperçu* that the sin of the academic is that he takes so long in coming to the point; and I will by now I fear have sorely tried the patience of readers already familiar with the general contours of Oakeshott's works. But I have done so with the specific purpose of establishing just how persistent was his lifelong interest in the notion of democracy, usually appearing as a sort of shadowy background presence against the much broader reach of his philosophical essaying into the character of government and political activity in a modern European state. The reasons for this longstanding interest were, I think, at least twofold. The first of these involves an important contextual feature of his intellectual biography that is now largely taken for granted ---that it was only in the course of his lifetime that there came to pass the unprecedented historical triumph throughout the western world of the doctrine and practice of so-called "Liberal Democracy". During Oakeshott's mature years, indeed, a generalized belief that liberal democracy was *the* effective constitutional regime of liberty or rule of law regime of his time became firmly established. Now, so far was he from wishing ill-will upon democracy (to say nothing of liberty or the rule of law), Oakeshott, in attempting their concurrent defence, believed that we might better capture what was involved in such an undertaking by abandoning altogether what he thought the problematic rubric "liberal democracy", in favour of what he was reluctantly inclined to call, for want of a better way of expressing what he had in mind, "representative democracy".⁴⁸ For it was his considered opinion that this way of approaching the matter put us in an improved position to sustain into time present the spirit of our living indebtedness to ideas and practices which we have inherited from the past that are crucially important to the practice of the good type of what we loosely term democracy, but that in point of historical

⁴⁸ In the specifically British context, he sometimes demurred in the rubric "parliamentary democracy", though strictly-speaking he regarded that formulation, like "nation state", as something of a misnomer on both historical and conceptual grounds.

fact, predated democracy in the sense of democracy naively understood as an exclusive product of liberalism.

Now, Oakeshott was a political philosopher and no mere publicist, and his restless imaginative energy would not allow him to leave what he had to say on the subject of democracy at that. For surely, he was aware, one was entitled to ask of his newly proposed rubric “representative democracy”: representative of what or whom? And Oakeshott’s response appears to be---representative of the interest of subjects, but by no means the determiner of the individual choices of associates engaged in the myriad goings-on to be found in the expansive everyday private lives of a people currently in the enjoyment of, or aspiring to, freedom. In representative democracy, then, Oakeshott thought it possible to capture the idea of an intergenerational understanding of the proper office of government as one restricted for the most part to sustaining for associates conditions of peace and public order, conditions that are wrongly believed by the gullible to be achievable through some figurative act of Immaculate Conception, but are instead always a legacy hard-won and handed on to us by those who have gone before, though adaptable as need might arise to the vicissitudes of the challenge of sustaining associates unimpeded in varied activities of their own choosing. The idea of political education under a regime of representative democracy will be to provide an introduction to liberal learning appropriate to the cultivation of the moral virtues of individuality.⁴⁹ And this will mean imparting to rising generations of associates a vivid remembrance of their living inheritance, nothing less than a metaphoric capital of liberal civilization, something to love and, if need be to die for, paving the way for the induction of future generations into the blessings of their way of life and of a character appropriate to their circumstances. From below, what this entails is the ready acceptance by associates of the authority of government as it engages in its narrow but important province of governing; and from above, self-restraint in the exercise of power.

⁴⁹ For general background informed by Oakeshott’s general outlook, see Shirley Robin Letwin, *The Gentleman in Trollope: Individuality and Moral Conduct*, Cambridge, Mass., 1982, and from a somewhat different angle, her *The Anatomy of Thatcherism*, London, 1992, especially Chapter 2, “The Vigorous Virtues”, pp. 26-48.

Of course, Oakeshott was an historian as well as a political philosopher, with too detailed a grasp of the broad contours of modern European history and too finely tuned a philosophical mind to be entirely satisfied even with his proposed adjectival “representative democracy” label, which he had invoked in the first place only in order to signify a regime that might approximate to the minimal requirement of the authentic regimes of liberty in our time. But ultimately, as Oakeshott made clear in the course of his successive and overlapping attempts to come to grips with the dispositional tensions in the character of modern and contemporary politics, the spirit of the good regime that in the most widely received contemporary understanding of civilized political life is unthinkingly celebrated as “democracy”, is simply not capable of being made theoretically coherent by means of *any* conceptually self-enclosed version of democracy *per se*. Regimes of liberty appropriate to the circumstances of our time, rather, must be a species of mixed regime, in which democratic virtue is tempered by a persistent individuality that is more monarchical and aristocratically republican in point of pedigree than democratic, and in which democratic power is so offset by the presence of an authority more at home in monarchy than the danger in democracy of the rise of a form of inverted absolute monarchy remains in abeyance.

What that means for democracy is that if it is to be rendered proximate to a notional regime of liberty it must restore to a central position in its politics a proper understanding of the place of authority. In other words, what we tend to call “democracy” in the loose sense might be construed in Oakeshott’s terms as approximating to a regime of liberty in our time if the constitution of government and its authorization are seen to require in some fundamental sense the principles of what he calls representative democracy, but where the weighting of the dominant dispositions regarded as appropriate to the activities of its office of government do not. Under such circumstances, the authority of democracy will be recognized at the same time that its power is constrained. What follows is that, for Oakeshott, a good type of democracy is one that presupposes a civilization and that cultivates sociability, that accepts the authority of the state and practices a self-restraining politics; that steadily aims at a mean between monarchy or

aristocratic republicanism and democracy; and that in its politics leans more to a dispositional scepticism than to faith, more to individualism than to collectivism, more to civil association than to enterprise association.